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THE DOMINICAN ORDER IN ENGLAND
BEFORE THE REFORMATION

STUDIES IN CHURCH HISTORY

THE DOMINICAN ORDER
IN ENGLAND BEFORE
THE REFORMATION

BY

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PREFACE

THE object of this essay is to give, in a small compass, some idea of the life of the Black Friars in England during the Middle Ages. It was written before the appearance of Father Bede Jarrett's work on the same subject, and the writer, therefore, had not the advantage of being able to refer to that excellent work.

This essay does not claim to be exhaustive, the scarcity and poverty of material for the medieval period being an insuperable difficulty. It is hoped, however, that, so far as it goes, this little book may stimulate the reader to fresh interest in the Dominicans in England and appreciation of their work.

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15/193

CONTENTS

	PAGE
PREFACE	v
AUTHORITIES CONSULTED	ix
INTRODUCTION	xii
CHAPTER I	
ORGANIZATION	i
CHAPTER II	
THE DAILY LIFE OF THE DOMINICANS IN ENGLAND	31
CHAPTER III	
RELATIONS OF THE DOMINICANS WITH OTHER RELIGIOUS ORGANIZATIONS	47
CHAPTER IV	
POLITICAL ACTIVITIES OF THE BLACK FRIARS IN ENGLAND	75
CHAPTER V	
EDUCATIONAL ACTIVITIES OF THE DOMINICANS .	90

CHAPTER VI

	PAGE
THE DOMINICAN SECOND ORDER . . .	102

CHAPTER VII

THE HOUSE OF DOMINICAN SISTERS AT DARTFORD	114
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APPENDIX

EXTRACTS FROM CERTAIN ORIGINAL AUTHORITIES

ALLUDED TO OR BRIEFLY NOTED IN THE

TEXT	135
INDEX	157

LIST OF MAIN AUTHORITIES CONSULTED, WITH ABBREVIATIONS USED IN CITING THEM

A. PRIMARY AUTHORITIES

I. PRINTED ORIGINALS

- (a) *Monumenta Ordinis Fratrum Prædicatorum Historica*, Vols. III, IV, VIII, IX ; ed. by Fr. B. M. Reichert, O.P. : Rome, 1898. I.e. *Acta Capitulorum Generalium Ordinis Prædicatorum*, Tom. I, II, III, IV. (Acta Cap. Gen. O.P.)
- (b) *Archiv für Literatur- und Kirchengeschichte des Mittelalters* ; ed. by H. Denifle and E. Ehrle. Vol. I, article by Denifle, critically editing the text of the Dominican Constitutions of 1228. (Archiv.)
- (c) Ripoll, *Bullarium Ordinis Fratrum Prædicatorum*, Vols. I-VIII ; ed. by A. Bremond. (Ripoll, Bull. O.P.)

II. TRANSCRIPTS

British Museum, Additional Manuscripts, No. 32446. Transcriptions by C. F. R. Palmer. Father Palmer has transcribed from the Dominican Master-Generals' Registers portions that deal with English Dominican life. (B.M. Add. MSS. 32446.)

III. CALENDARS

- (a) Calendar of Close Rolls (Cal. of Close).
- (b) Calendar of Patent Rolls (Cal. of Pat.).
- (c) Calendar of Papal Letters (Cal. of Pap. Letters).
- (d) Rymer's *Fœdera*.

B. SECONDARY AUTHORITIES

I. ARTICLES

(a) *In Encyclopædias and Dictionaries.*

1. *Catholic Encyclopædia*, Vol. XII, article by P. Mandonnet on the Friars Preachers.
2. *Dictionnaire de la Bible*, II, Les Dominicains sur les Saintes Écritures.
3. *Dictionary of National Biography* (D.N.B.). Many prominent Dominicans are herein dealt with.

(b) *In Periodical Publications.*

1. *The Reliquary*, articles by Father C. F. R. Palmer.
2. *The Antiquary*, articles by Father C. F. R. Palmer.
3. *The Archæological Journal* (Arch. Journ.), articles by Father C. F. R. Palmer.
4. *The English Historical Review* (E.H.R.), articles by A. G. Little.
5. *Transactions of the Royal Historical Society*, New Series, VIII, article by A. G. Little, "The Educational Organization of the Mendicant Friars in England."
6. Oxford Historical Society, *Collectanea*, II.

(c) *In the Victoria County Histories* (V.C.H.), "Religious Houses."

II. BOOKS CONTAINING SECTIONS ESPECIALLY RELEVANT TO DOMINICAN HISTORY IN ENGLAND

1. J. Dunkin, *History and Antiquities of Dartford*.
2. Kirkpatrick, *History of the Religious House of Norwich*.
3. Wood, *City of Oxford*.

III. GENERAL WORKS ON THE ORDER AND ITS FOUNDERS

1. *The Life of S. Dominic, with a Sketch of his Order*. Anonymous.
2. *Life and Times of S. Dominic*, by Rev. de L. O'Leary, D.D.

3. Balme and Lelaidier, *Cartulaire, ou Histoire Diplomatique de S. Dominique, avec illustrations documentaires*. 2 vols.
4. *Histoire des Maîtres Généraux de l'Ordre des Frères Prêcheurs*, by D. A. Mortier.
5. Douais, *Essai sur l'Organisation des études dans l'Ordre des Frères Prêcheurs*.
6. Ernest Barker, *The Dominican Order and Convocation* (1913).

C. OTHER WORKS CONSULTED

These contain occasional references to Dominican history and are important for the general history of the mendicant orders and the age in which they flourished.

I. CONTEMPORARY LITERATURE

(a) *Chronicles*.

1. Matthew Paris, *Chronica Majora*.
2. Walter de Hemingburgh, *Chronicle*.
3. N. Trivet (a Dominican), *Annales*.

(b) *Verse*.

1. *Piers the Plowman's Creed*, E.E.T.S.
2. *Political Poems and Songs*, I and II (Rolls Series).

II. MODERN WORKS

1. W. W. Capes, *A History of the English Church in the Fourteenth and Fifteenth Centuries*.
2. F. Gasquet, *Henry III and the Church*.
3. A. G. Little, *Studies in English Franciscan History*.
4. A. G. Little, *Grey Friars in Oxford*.
5. B. L. Manning, *The People's Faith in the Time of Wycliffe*.
6. G. M. Trevelyan, *England in the Age of Wycliffe*.

INTRODUCTION

THE Dominican Order has scarcely, up to date, received its fair share of attention from historians. This omission is due partly to lack of evidence, and partly to the apparently greater attractions of the Franciscan Order. The first of these causes is a matter of fact ; the second is a matter of opinion. The fact that evidence concerning the Dominican Order is poor both in quantity and quality is undeniable. The opinion that the Franciscan Order is the more attractive of the two is open to question ; but, even if it is the more attractive, that is no reason why the Black Friars should be ignored. The Franciscan Order has richer and better early evidence ; it has, perhaps, a more " human " founder ; and it is, in a sense, more mystical than the Dominican Order. On the other hand, in organization and educational activity the Black Friars are superior to their rivals whose founder looked with suspicion on forms of regulations and on learning. Neither order was anxious for its members to rise in politics, but, in point of fact, both Grey and Black Friars entered the political arena. Here the chances were equal, and, on the whole, the Dominicans were the more successful. Indeed, the enthusiastic student of Franciscan history would do well not to ignore the Black Friars, while the historian of the Dominicans cannot afford to exclude consideration of the Franciscan Order. Each claims an equal share of the historian's attention, but, as regards England especially, this claim has not been recognized.

Evidence concerning the English province of the Dominican Order is particularly meagre. All con-

ventual and provincial records have vanished.¹ The historian is forced, therefore, to rely on scanty references in the General Chapter Decrees² and the Master-Generals' Registers³ for internal evidence, and on such external evidence as can be found in the Patent, Close, and Liberate Rolls, in contemporary literature and in local ecclesiastical and municipal records. These, the only primary sources, are very inadequate for a vivid account of the Dominicans in England. Of modern writers, only Father Palmer and Dr. Little have devoted much time to English Dominican history. Father Palmer, as a Dominican, had access to records unavailable for the ordinary historian. If he had stated more precisely the exact source of some of his information his work would have been even more helpful to subsequent students of Dominican history. His articles on the Provincial Priors⁴ of England, on the Prelates of the Black Friars,⁵ on the burials in the Black Friars' churches,⁶ on the King's Confessors of the Dominican Order,⁷ and on the majority of the Black Friars' convents in England⁸ utilize most of the available material as well as some that is inaccessible to laymen. An article by Dr. Little in the *English Historical Review*⁹ on the Educational Organization of the Friars in England deals separately with Franciscan and Dominican educational arrangements. The same author's *Grey Friars in Oxford* contains many allusions to Dominican as well as Franciscan life. Such are the chief secondary

¹ But see App. for a record embedded in the Master-Generals' Register of proceedings at a provincial chapter held at Lincoln in 1388.

² Ed. Reichert, *Monumenta Ordinis Prædicatorum Historica*.

³ Transcribed by Father Palmer and now in B.M. Add. MSS. 32446.

⁴ Arch. Journ., XXXV. 8; E.H.R. VIII.

⁵ Antiquary, XXII.

⁶ Ibid., XXII.

⁷ Ibid., XXII.

⁸ Reliquary; Arch. Journ.; see Indexes.

⁹ New Series, VIII, 49.

authorities. Other works of some interest and importance on specific points of English Dominican history will be mentioned in the course of the text or in foot-notes. The list is meagre enough, and serves to call attention to the need for investigation of the gaps in the history of the English Black Friars, with a view, if possible, of bridging these, or at least of co-ordinating the existing evidence.

From the point of view of political theory, the Dominican Order is interesting in that it was a typical medieval religious group. Those modern social theorists who hold that society must be organized on the basis of the functional group rather than the political sovereign state sometimes look back to medieval society as a society organized on this group basis. If this were so, then the Dominican Order was one of these groups. The modern functionalist holds, however, that a man is only a member of a group as regards the function of that group. That is to say, the group claims no authority over him except in connexion with its function. The group exists for a specific purpose, and the relationship between it and its members extends to that purpose and no further. The Dominican Order existed for a specific purpose, albeit a wide one. Its work was "preaching and the salvation of souls."¹ It did not, however, claim authority over its members only as preachers and savers of souls; it sought to regulate every detail of their daily life. Thus the Dominican Order was not a functional association in the modern meaning of the term. It is difficult, indeed, to see how the functionalist is going to fit the modern religious group into his scheme, since every church to-day claims some general authority over the lives of its members. This authority, however, is vaguer and

¹ Vide Constitutions, Commentary by Humbert de Romans, Master-General of the Order.

more exclusively spiritual than that claimed by the Dominican Order over the Friars. The modern churches may possibly, therefore, fit into the functionalist's scheme; the Dominican Order cannot find a place in it.

The Dominican Order has also a constitutional interest. In his work on *The Dominican Order and Convocation*, Ernest Barker suggests that Convocation, and possibly Parliament, were indebted for their representative basis to the Dominican idea of organization. Each Dominican convent sent representatives, in the modern sense, to the provincial chapter; and each province, in its turn, sent representatives to the general chapter of the order. Such was the example which the founders of a representative Convocation and a representative Parliament may well have followed. A further point of constitutional interest arises in connexion with the centralization of the Order. Delegation of authority was strictly limited in such a way as to preserve intact the sovereignty of the Master-General. Provincial individuality or independence was not contemplated. The English province, however, bearing out the national characteristics of independence, made a bid, at the end of the fourteenth century, for some degree of local autonomy. This attempt was defeated, but that it should have been made at all is of interest.

S. Dominic was born in 1170 at Calaroga in Old Castile. After ten or twelve years' study at Palencia he was ordained about 1195, and became Canon Regular in the Cathedral Chapter of Osma. Soon he was raised to the rank of prior. In 1203 he accompanied the bishop on an embassy, on behalf of the King of Castile, to "The Marches," probably of France or Italy. He next went with the bishop to Rome, where Innocent III charged them to preach to the Albigenses. From 1205 to 1215 Dominic was occupied

in this work. In 1205 he founded a house at Prouille for the shelter of converted Albigensian women. All this time he was working in company with a devoted band of adherents, who were to form the nucleus of his order. In 1215 the Bishop of Toulouse established Dominic and his companions in a church and house of the city. The year following he went to Rome to obtain Papal confirmation of his order. The Lateran Council had decreed that no new regular orders were to be established, so Dominic chose the well-known rule of S. Augustine as the basis of his Order. In 1218 an encyclical bull to the bishops of the whole Catholic world was issued by the Pope, recommending to them the "Order of Friars Preachers." Three years later another bull ordered the bishops to give the Black Friars full facilities to preach and hear confessions in their dioceses. In 1220 and 1221 the first General Chapters of the Order were held. Numbers were increasing rapidly, and provinces were just then about to be established in England and Hungary. Most other parts of Europe already were provinces of the order.¹ Missionary zeal, educational enthusiasm, and a certain shrewd common sense, which made them better rather than worse preachers and teachers, characterized the Black Friars everywhere. The English province was one of the most flourishing in the order, as far as can be judged, and this fact makes the lack of evidence concerning it all the more regrettable.

Of the organization, education, political and social relations, and the details of daily life of the Dominican Order we would fain know more. The evidence is sufficient to whet our appetites, but cannot satisfy the cravings it has aroused.

¹ Encyclopædia Britannica, Art. on Dominic. For bibliography see note to Workman's *Evolution of the Monastic Ideal*, p. 274.

THE DOMINICAN ORDER IN ENGLAND BEFORE THE REFORMATION

CHAPTER I

ORGANIZATION

It has been shown ¹ briefly how the Dominican Order came to be founded, to be developed, and to be extended, in 1221, into England. It is impossible, however, to understand the scope and spirit of the order in the English province, without some examination of the history and nature of the legislative texts.² The first written authorization given to the Dominicans took the form of pontifical letters, issued by Innocent III in 1205.³ These letters created the type of Apostolic preachers, hitherto unprecedented in the history of the medieval Church, but based strictly on the teaching of the Gospels. In the next year S. Dominic founded the convent of Prouille.⁴ To this convent he gave the rule of S. Augustine, together with certain further constitutions drawn up specially to regulate the lives of the sisters and the brothers who were to live near and serve the sisterhood.⁵ Thus the sisters' constitutions

¹ See Introduction, p. xvi.

² See Mandonnet, art. on Friars Preachers in Catholic Encyclopædia, XII; also Heimbucher, *Die Orden und Kongregationen der Katholischen Kirche*, Vol. I, ch. 5.

³ Potthast, *Reg. Pont. Rom.* 2912. (Quoted Mandonnet, loc. cit.)

⁴ Mandonnet, loc. cit.

⁵ Ibid. and Balme and Lelaidier, *Cartulaire de S. Dominique*, II. 425; *Bull. O.P.*, VII. 410.

2 THE DOMINICAN ORDER IN ENGLAND

appear first in the history of the Dominican legislative texts.

In 1219 the monastery of the Sisters of S. Sixtus at Rome was given to S. Dominic, who bestowed on it the Prouille constitutions. Under the name of the "Institutions of the Sisters of S. Sixtus," these constitutions were afterwards granted to other convents and sisterhoods.¹

In 1216 the brothers' first constitutions appeared.² The Lateran Council of the previous year had decreed that no new rule was to be drawn up by any order.³ This aimed at preventing the growth of mushroom communities such as had sprung up in numbers recently, but did not check the development of a strongly rooted order like that of S. Dominic. The Dominicans kept the letter of the decree by formally adopting the Augustinian Rule,⁴ and secured the inclusion of their own peculiar ideals by adding to it further constitutions. These attempted to embody and combine the canonical apostolic ideals of life⁵; and were modelled largely on the Premonstratensian constitutions,⁶ but also managed to set forth much that is characteristically Dominican.⁷

In the same year 1216 the order was formally approved by Innocent III in a letter the style of which was the same as those issued for the foundation of regular canons.⁸ Thus the Dominican Order was given canonical existence.

In 1220 and 1221 the first General Chapters of the

¹ Mandonnet, loc. cit., p. 355.

² Ibid.

³ Montalembert, *Monks of the West*.

⁴ Mandonnet, loc. cit., p. 355.

⁵ Ibid.

⁶ Ibid. and Mortier, *Maîtres Généraux des Frères Prêcheurs*, I. 31, 52.

⁷ Archiv, I, art. by Denifle on the Dominican Constitutions of 1228; E. Barker, *The Dominican Order and Convocation* (1913), pp. 24, 25.

⁸ Mandonnet, loc. cit., p. 335.

Order were held at Bologna.¹ These chapters drew up the constitutions which are supplementary to those of 1216, and which form the second part of the 1228 Paris edition.² At these chapters the Friars Preachers renounced all property,³ substituted the rochet for the scapular, and established annual General Chapters as the mainsprings of authority and regulation for the order.⁴ There is no extant copy of the 1221 Constitutions, but the 1228 edition of Paris has been critically edited by H. Denifle.⁵ At this General Chapter of Paris many fresh constitutions were added, as, for example, that no new law could be enforced until it had been approved by three successive Chapters General.⁶

A lack was now felt in the rule of the Sisters of S. Sixtus. To remedy this, a few years after the regularizing of the brothers' constitutions, the "Statuta" were compiled for the sisters, which embodied such parts of the men's constitutions as were necessary for the women.⁷

The General Chapters of 1239-40 accepted the reformed constitutions of the great canonist and Master-General of the Order, Raymond of Pennafort. These reduced the Dominican constitutions to a more logical form and were welcomed by the Chapters.⁸ In 1250 a corresponding reform was made in the sisters' constitutions by the General Chapter of Valenciennes,

¹ Ibid., p. 358 ; E. Barker, *op. cit.*, p. 13.

² Mandonnet, *loc. cit.*, p. 357 ; E. Barker, *loc. cit.* ; Heimbucher, *op. cit.*, p. 548.

³ Cf. Franciscan Rules.

⁴ Mandonnet, *loc. cit.* ; E. Barker, *loc. cit.* ; Balme and Lelaidier, *Cartulaire*.

⁵ Archiv, I.

⁶ Hence the "et hec habet III capitula" at the end of many clauses. See *Acta Cap. Gen. O.P.*

⁷ Duellius, *Misc.*, I. 182 ; quoted Mandonnet, *loc. cit.*, p. 355 ; and see post, Chapter VI.

⁸ *Acta Cap. Gen. O.P.*, I ; Denifle, *Archiv*, V, quoted Mandonnet, *loc. cit.*, p. 355.

4 THE DOMINICAN ORDER IN ENGLAND

at the suggestion of Alexander IV. This reform was based on the rules as remodelled by Humbert de Romans.¹ Thus by the middle of the thirteenth century the Dominican organization was more complete than that of any other contemporary order. Subsequent constitutional development in these other orders followed closely the Dominican lines.²

Before discussing in more detail the Dominican constitutional scheme and its application to England, it will be interesting to note the indebtedness of this constitution itself to other constitutions. The merit of Dominicanism is not so much originality of invention as adjustment, and clean-cut, legal nicety of definition. Almost every factor in the Dominican organization may be traced in germ elsewhere; the combination and development of these factors constitute the Dominican claim to greatness. In the thirteenth century the tendency towards a central executive and a central legislature was marked in most religious orders.³ The first involved local representative administrators, while the second required a representative committee. Both these are found in the Premonstratensian constitutions.⁴ The contributions of the Military Orders to this system were the General Masters and the General Chapters. From the Cistercians came the Annual Chapters. The Premonstratensians divided their sphere of influence into circles. It is possible that the Military Orders borrowed the idea of provinces from these circles, and thus the provincial basis came to the Dominicans ready made.⁵ The kinship of the Dominicans with the Canons Regular has already been noted.⁶ At the same time, the Dominican ancestry includes other stock besides

¹ Mandonnet, *loc. cit.*, p. 355.

² *Ibid.*, E.H.R., IX. 121.

³ E. Barker, *op. cit.*, p. 24.

⁴ *Ibid.*

⁵ *Ibid.*, pp. 24-5.

⁶ See Heimbucher, *op. cit.*, and Workman, *Evolution of the Monastic Ideal*.

the Regular Canons, for in some ways the Apostolic preaching and teaching ideal seems at variance with the ideal of the cloister. Indeed, fully to combine the active and contemplative lives would be impossible. In aiming at this, the Dominican reach exceeded its grasp, but, in so far as they succeeded, the Friars Preachers introduced a new ideal into the religious life which had an important spiritual influence throughout the later Middle Ages.

Details of Dominican organization may now be considered. The unit of organization was the convent, ruled by a prior whose authority was absolute over the internal affairs of the convent. The convents were bound together in the province, ruled by the Provincial Prior, who had absolute authority over the internal affairs of the province. The provinces were united under the Master-General of the whole order, whose authority, supported by the Chapter General, was absolute over the order. It will be well to consider in turn the convent, the province, and the order, in their bearing on the life of the English Dominicans.

In 1296 the General Chapter decreed that no convent was to be founded with less than twelve brothers. Ten of these twelve were to be priests, while the prior or head of the convent must be a Latin scholar and a good preacher.¹ Each convent also possessed a doctor as teacher or director of studies.² The Constitutions of 1228 thus describe the election of a conventual prior :

“Conventual priors shall be elected by their convents, and the provincial prior, if he thinks fit, shall confirm the election. A conventual election which does not obtain this confirmation shall be void.”³

¹ Heimbucher, *op. cit.*, p. 549.

² Mandonnet, *op. cit.*, p. 356.

³ Archiv, I. 221. It has been thought advisable to place in inverted commas translations from the original Latin texts; but

6 THE DOMINICAN ORDER IN ENGLAND

Thus the provincial prior could confirm or annul the conventual elections, which, therefore, required his word before they were valid.¹ The qualifications for the electors of the conventual prior were gradually tightened up as the order grew, as is shown by the legislation of the General Chapter of 1265, which enacted that only brothers of five years' standing could elect the conventual prior.²

The doctor, unlike the prior, was not elected by the convent, but by the provincial chapter.³

Besides his ordinary disciplinary authority, the prior had some discretionary power. The Master-General's Register for July 11, 1474, contains the following entry: "To brother John Kykly, Master of Theology, prior of the Convent of York, it was ordered that while he was prior of the convent, he could expel brothers leading a bad life in the same convent whom he considers scandalous, nor shall he receive them back unless they improve." ⁴

The conventual prior had a wide dispensatory power on account of learning. The Constitutions of 1228 set forth that conventual priors shall have power to grant dispensations to brothers, "principally in those matters which were seen to hinder study, or preaching, or the fruit of souls, for our order was from the beginning instituted especially for preaching and the saving of souls, and our studies ought principally to aim at these objects for our highest work, that we may be of use to the souls of others." ⁵

The prior, however, did not wield his powers entirely

the translations are free rather than literal, and aim at giving the meaning of the passage rather than at verbal accuracy, although every effort to preserve the latter as far as possible has been made.

¹ Acta Cap. Gen. O.P., I, London, 1250, p. 51: "Nisi prior provincialis aliter ordinaverint." In cap. "de electione prioris conventualis."

² Acta Cap. Gen. O.P., I, 128.

³ Mandonnet, loc. cit., p. 356.

⁴ B.M. Add. MSS. 32446, f. 9, v^o. ⁵ Archiv, I, 194.

without supervision. The General Chapter of 1270 ordered an annual conventual inquisition (especially at the beginning of a prior's tenure of office). The prior's receipts and expenditure were to be scrutinized, as well as all the other details of conventual management, and report was to be made to the provincial prior.¹

In the absence of the prior, the sub-prior assumed the former's position and authority.² Another important official was the Master of the Novices. He commanded the obedience of the novices, taught them to show humility in mind and body, how to make reverences, how to behave in the convent rooms, how and when to speak or be silent, how to confess their faults and ask pardon of the prior,³ and many other details of daily conduct.

Other convent officials are indicated in the following passage from the General Chapter decrees of 1249: "The priors shall always nominate three from among the brethren who, with the prior, sub-prior, and procurator, shall supervise the accounts and be aware of the condition of the house with regard to material things."⁴ The Paris General Chapter of 1248 had already laid down that two or three friars were to be chosen by the prior, in each convent, to look after the convent goods. No single one of these was ever to hold all the keys.⁴ Each convent had also an official known as the Circator. The General Chapter of 1254 defined the duties of this official in the following words: "In every convent there shall be instituted one circator or more if the number of brethren so requires, who not only after the evening meal but at all times of the day whenever he may consider it necessary, shall go the round of the work-rooms and the places where the brethren are wont to converse, and shall

¹ *Acta Cap. Gen. O.P.*, I. 154.

² *Ibid.*

³ *Archiv*, I. 201.

⁴ *Acta Cap. Gen. O.P.*, I. 47.

8 THE DOMINICAN ORDER IN ENGLAND

report to the prior such offences as he notices, and proclaim the offenders' names in the Chapter."¹ Visitors or inspectors of particular convents were sometimes appointed directly by the Master-General, as is shown by the following entry in the Register for April 7, 1393. "Master John de Pingh was made visitor of the Convent of London, with authority to examine the friars of the same convent, which authority was given him by the Master-General."²

More intimate details of the daily life in a Dominican convent will be discussed later.³ Mention must be made here, however, of the most important piece of conventual machinery, the Daily Chapter. Under the heading "Concerning the Daily Chapter," we are told that the Lector announces the date and matters of importance from the calendar and reads the Gospel for the day.⁴ There follow the blessing, the recitation of benefits, and some psalms. After that comes punishment time, when the novices enter, are accused, and punished. No one is to be condemned on mere hearsay evidence.⁵ A great part of the Constitutions of 1228 is taken up with classifying offences and punishments. This section, more than any other part of the constitutions, follows almost verbally the Premonstratensian model.⁶ Offences are divided into four classes. There are small faults, such as sleeping during study, speaking to parents or others about rumours, without leave of the prior,⁷ and laughing or causing others to laugh in the choir. The penalty for such faults, on their being confessed and pardon asked, is one psalm, or two (to be recited), together with one "discipline" or more, as their prior may see fit.⁸ The

¹ Acta Cap. Gen. O.P., I. 47.

² B.M. Add. MSS. 32446, f. 3.

³ See Chapter on Daily Life, post, p. 31.

⁴ Archiv, I. 196.

⁵ Ibid., pp. 196, 197.

⁶ Ibid., p. 205.

⁷ This is in a more serious category in the Premonstratensian Constitutions. (See Archiv, I. 205.)

⁸ Archiv, I. 205; Heimbucher, op. cit., p. 550.

second class of more serious faults is taken almost verbally from the Premonstratensians: "If any brother wrongly contend with another in the hearing of laymen, or if any brother sow discord among the brethren, he has committed a serious offence, and for this kind of offence, after asking pardon and not complaining, he shall be given three stripes in the Chapter and shall fast three days on bread and water. If he complains, one stripe and one day's fast shall be added."¹ In the third class—again largely founded on the Premonstratensian model—come such faults as showing open defiance of or disobedience to the prior.² The prior is to send senior brothers to exhort and reason with the offender, who is to sit on the floor, live on bread and water, and only to be received back into favour at the discretion of the prior.³ The last class is that of the most serious offences for which expulsion is the only remedy. Among such is the incorrigibility of those who fear to admit their faults and refuse to do penance for them.⁴

No convent was to be able to plead ignorance of the general and provincial chapter decrees. The General Chapter of 1266 laid down: "In each convent let there be one book in which the acts of the General and Provincial Chapters are to be written down fully."⁵ Moreover, these books were not to be stored away to grow dusty with lack of reading. The General Chapter of 1291 ordained: "Those constitutions and admonitions which most help towards the spiritual health of the converts shall be expounded to them four times in the year by the Master of the Converts or another Friar."⁶ Similarly, the General Chapter of 1260 had

¹ Ibid.

² Archiv, I. 208.

³ Ibid., p. 210.

⁴ Ibid., p. 211.

⁵ Acta Cap. Gen. O.P., I. 135.

⁶ Ibid., p. 261. "Converts" here probably means novices.

10 THE DOMINICAN ORDER IN ENGLAND

said that the constitutions were sometimes to be read at table, if no stranger were present.¹ It seems that the convents had each the power of making by-laws within certain limits. This is shown by the following entry in the Master-General's Register for April 7, 1397: "Item, the same day the Reverend Master-General of the Order determined and declared that those students who had been elected in the convent of Newcastle-on-Tyne against the rules of that convent and the ordinances of the provincial chapter are not students at all, nor may be protected nor sheltered as students."²

It is impossible to obtain anything like a complete list of the priors of any one convent, but the *Victoria County History* for London gives a list of priors of the London house which is fuller than any that could be made for any other convent.³

The next question to be considered here is provincial organization. The absence of provincial as well as conventual records for England is regrettable, but some comparatively safe deductions may be made from the General Chapter Decrees, which are definitely stated to apply to all provinces alike, or to the English province in particular; and isolated references from other sources may then be fitted with caution into the picture.

Provincial chapters were held at Derby in 1310, 1346, and 1376, but no details of attendance, agenda, or procedure have survived.⁴ The Northampton Convent seems often to have been the scene of provincial chapters, as in 1239, 1271, 1272, 1313. On all these occasions the Kings were most generous in gifts of food and wine.⁵ The amount of these donations serves as a rough guide to the numbers present at the

¹ Acta Cap. Gen. O.P., I. 204.

² V.C.H., London, pp. 501, 502.

³ Ibid., Northampton, p. 145.

⁴ B.M. Add. MSS. 32446, f. 6.

⁵ Ibid., Derby, p. 79.

chapters. For instance, in 1313 Edward II gave £15 for three days' food. If, as was usual among the friars, the ration was 4*d.* a head, this suggests that some 300 were present at the chapter. Probably, however, on such occasions the ration would include wine, and must therefore be reckoned at 8*d.* a head. We thus arrive at 150 as the attendance at a provincial chapter in England at the beginning of the fourteenth century.¹

Provincial chapters were held at the Warwick Convent in 1322, 1337, 1341, and 1367.² In each case the King was generous, but in no case has any other detail survived to gratify the curiosity of the Dominican historian. In 1238 the provincial chapter was held at Lincoln, to which the King contributed 100*s.*³ In 1244 the royal subscription towards the provincial chapter held in this convent was raised to £10.⁴ In 1293, 1300, and 1325 provincial chapters were held here, and were supported by gifts from the King.⁵ In 1388 an important provincial chapter was held at Lincoln, of which the record is preserved "*de verbo ad verbum*" in Master Raymund's Register.⁶ This chapter regulated the promotion of friars to degrees in the Universities, and appointed certain friars to lecture on the Sentences at Oxford and Cambridge.⁷

In 1261, 1276, and 1340 provincial chapters were held at Stamford, and were supported by royal alms.⁸ In 1303 and 1321 they were held at Pontefract,⁹ and in 1235 and many subsequent years at York.¹⁰ The first provincial chapter of all was held at Oxford in 1230,¹¹ and the Oxford Convent seems to have been most

¹ Ibid.

² Ibid., Warwick.

³ Lib. R. 27 Henry III, m. 14, quoted V.C.H., Lincoln, p. 221.

⁴ Ibid., 28 Henry III, m. 7, quoted V.C.H., Lincoln, p. 221.

⁵ V.C.H., Lincoln, p. 221.

⁶ B.M. Add. MSS. 32446, f. 5; and see Appendix, p. 136.

⁷ Ibid.

⁸ V.C.H., Lincoln, pp. 226-227.

⁹ Ibid., York, p. 272.

¹⁰ Ibid., p. 283.

¹¹ Ibid., Oxford, p. 108.

12 THE DOMINICAN ORDER IN ENGLAND

frequently the chosen theatre for the provincial chapters of after-years.¹

The form of procedure for the provincial chapter is stated in the Constitutions of 1228.² The membership of the chapter is defined as follows: "To the provincial chapter we summon the conventual priors each with another brother elected in the conventual chapter, and the general preachers."³ It seems that others were sometimes eager to attend, for the General Chapter of 1265 lays down the following: "We give warning that the provincial priors shall not readily give licence to brethren to attend the chapter."⁴ The record of the proceedings of the provincial chapters had to be sent to the general chapter. "The Master of the Order bids all the provincial priors and diffinitors of the provincial chapters that every year as long as they hold office they shall send their provincial chapter acts to the general chapter by their diffinitors."⁵

The *diffinitors* mentioned above were important elements in the provincial chapter machinery. The 1228 Constitutions described them as envoys to the general chapters from the provincial chapters, "where the brethren shall transfer to the diffinitors all their 'wishes,'⁶ giving them plenary power that whatever is done by them by way of construction or destruction, change, addition, or diminution, shall remain firm and stable and shall not be altered by any authority whatsoever."⁷

The diffinitors had censorial power even over the provincial prior. "These four diffinitors shall hear and correct in the provincial chapter the faults of the provincial prior there confessed or proclaimed and shall

¹ 1241, 1288, 1297, 1305, 1318, 1326 (V.C.H., Oxford).

² Archiv, I. 213.

³ Ibid., p. 212.

⁴ Acta Cap. Gen. O.P., I. 129.

⁵ 1254, Acta Cap. Gen. O.P., I. 71.

⁶ I.e. their opinions on points raised or to be raised concerning the administration of the order.

⁷ Archiv, I. 193.

enjoin penance on him." If the prior is obdurate, the diffinitors can suspend him from office and refer him to the general chapter.¹

The election of the provincial prior was to be in the hands of the conventual priors, together with two other friars from each convent, elected in open assembly of the brethren of that convent.² This election, however, needed confirmation before it was valid. "We ordain that provincial or district priors shall be confirmed or removed after diligent examination by the Master-General and diffinitors in general chapter."³ In the case of the removal of the provincial prior by death or any other cause, a vicar took over his position and duties until the time for the next election. The following entry for July 16, 1483, exemplifies this: "Master William Rycheford of the Convent of Hereford was made vicar for the election of the future provincial prior (which election was held in the convent of Northampton) with full power as such vicars should have, notwithstanding any constitution or ordinance to the contrary."⁴ It seems, further, that the Master-General was willing, in this instance, to delegate his confirmatory power, for another entry runs as follows: "The priors of the convents of Oxford and London shall have power to confirm the provincial prior to be elected in the coming provincial chapter."⁵

The Constitutions of 1228 contain many details about the powers of provincial priors. "The provincial prior shall have the same power, within his province, as has the Master of the Order, and the same respect shall be shown him as is shown to the Master, except when the Master is present there."⁶ The provincial prior must take care, if he have any brethren fit to be

¹ Ibid., p. 213.

² Ibid., p. 218; Acta Cap. Gen. O.P., I. 7.

³ Archiv, I. 217.

⁴ B.M. Add. MSS. 32446, f. 11, v^o.

⁵ Ibid.

⁶ Archiv, I. 218.

14 THE DOMINICAN ORDER IN ENGLAND

taught, and who soon might be fit to teach, that these be sent to study, and that they are not to be set to tasks other than study. The provincial chapter shall be celebrated at Michaelmas in the appointed place in the province or district chosen by the provincial prior and diffinitors." . . . "No religious of another order or profession, nor any secular of any order or dignity or profession or secret life or business shall be admitted to the chapter in any circumstances."¹

The provincial chapter was not merely the instrument, it was also the censor, of the provincial prior. The General Chapter of 1273 enacted: "Every year in the provincial chapter when the hearing of faults is over, let there be made a secret enquiry before all concerning the retention or absolution of the provincial prior with details of the names and offices of the brothers giving their opinions, by the three brothers from the capitular body who earliest received our habit. The enquiry is not to be published, or shown to others, but signed immediately by the diffinitors before all, and taken to the general chapter of that year by the diffinitor to the general chapter or his companion, or by the companion of the provincial prior." A similar inspection of the conventual prior was to be made and forwarded to the provincial chapter.²

Care was taken to legislate against the temptation of the provincial prior to alter laws to suit himself. The General Chapter of 1233 laid down: "We will and order that the provincial priors and diffinitors shall not add to nor take from those things which are to be observed by all the brothers alike."³ Dispensations from this law were occasionally given to particular

¹ Archiv, I. 218.

² Acta Cap. Gen. O.P., I. 168; cf. B.M. Add. MSS. 32446, f. 16, for special reference to England.

³ Acta Cap. Gen. O.P., I. 4; cf. Paris, 1286.

provincials, however, as the following entry in the Master-General's Register shows: "Master William Richefort, Provincial Prior of England, can interpret and annul all letters of the Master General to whomsoever these may be given, and of whatever tenor they may be. Venice, June 11, 1487."¹

In order that recent legislation should be communicated as quickly as possible to all parts of the Dominican world, the General Chapter of Toulouse in 1304 enacted that the companions of the provincial priors at the general chapter and of the conventual priors at the provincial chapters were to write out the constitutions at once and send them to their respective provinces and convents.² In the following year it was stipulated that these constitutions were to be read four times a year.³ Local by-laws were discouraged as early as 1269. "Provincial and conventual priors shall take care not readily to make regulations unless forced by urgent necessity."⁴

The dispensatory powers of the provincial prior remain to be noticed. In 1277 the general chapter decreed: "Provincial and conventual priors and their vicars shall not dispense from penances imposed in chapter, without legitimate cause."⁵ That, on occasion, the provincial prior could repeal the election of a conventual prior is shown by the following extract from the constitutions of the General Chapter of 1225: "The provincial priors shall take care not to repeal the elections of conventual priors or change these, without reasonable cause."⁶

After the prior and diffinitors, the most important

¹ Add. MSS. 32446, f. 12, Register of Joachim Turrianus of Venice.

² Acta Cap. Gen. O.P., II.

³ Ibid., and see p. 9, *supra*, for a similar enactment of the year 1291.

⁴ Ibid., I. 148.

⁵ Ibid., I. 191.

⁶ Acta Cap. Gen. O.P., I. 76; and see *ante*, pp. 5 and 6.

provincial official was the visitor. The Constitutions of 1228 contain the following clauses concerning visitors: "We ordain that four brethren shall be elected in the aforesaid way by the provincial chapter to visit the province. These shall hear and correct the faults of the conventual priors and the brethren without changing the constitution or status of the convents concerned." Priors or doctors are not to be elected as visitors. A further clause lays down that "the visitors are to announce, in person or in writing, if the brothers they have visited are living in peace, are assiduous in study, fervent in preaching; and if they are observing the rules of the order in every way."¹ The General Chapter of Toulouse in 1258 enacted that visitors were to be elected by the provincial prior and diffinitors of the provincial chapter.² The number of these visitors grew with the development of the order and the province to be considered, as is shown by the decree of the General Chapter of 1242, which says that more than four visitors may be appointed to a province at the discretion of the prior.³

The Master-General's Register sheds some light on the visitations in the English province: "1393, April 1st, brother Thomas Palmer, Master of Theology, was instituted visitor in two of the English visitations, to wit, London and the Marches, on account of those who oppose the graces and ordinations of the Master. In the other two visitations, to wit, Cambridge and York, for the same reason, Master William Bakterp was instituted."⁴ The following entry gives some idea of the life and privileges of the visitor: "1393, April 24th. Brother Robert Humbleton was made visitor of York with the privileges of a visitor. Item, that he may travel through the whole province with a com-

¹ Archiv, I. 219.

² Acta Cap. Gen. O.P., I; cf. p. 13, Paris.

³ Ibid., p. 23.

⁴ B.M. Add. MSS. 32446, f. 2.

panion and may turn away from any particular convent, or may remain there as long as he sees fit. Item, that he may choose for himself a confessor who may absolve him from his sins." ¹ The visitors were, if possible, to attend a provincial chapter, or the general chapter, if it happened to be held in their province.²

Lastly, the question of vicars must be raised. The evidence as to the powers of the vicar of any particular official in the order is not conclusive. However, vicars are constantly mentioned as having this or the other power; and, indeed, the increasingly heavy duties of every Dominican official, as the order developed, made some system of substitutes essential. The General Chapter of 1265 laid down "in the chapter concerning the election of the provincial prior, let there be added at the end 'we order that in each province the provincial prior, with the diffinitors of the provincial chapter, shall institute certain vicars through the whole province who shall visit certain houses and assign certain penalties. These vicars shall exercise within their own spheres plenary power in the place of the provincial prior, except in the case of the institution or absolution of priors and lectors.' " The provincial priors could correct or remove these vicars, and if one of them died or was moved, the provincial prior could institute another, until the sitting of the next provincial chapter.³ It appears, further, that, at least in England, the visitors had vicars. The Master-General's Register for 1397 contains the following: "On September 15th were made vicars—in the visitation of Oxford, brother John Bromyard, Master. In the visitation of Cambridge, brother Richard Bacon, Master. In the visitation of London, brother William Broslumber, Master. In the

¹ Ibid., f. 3, and 3, v^o.

² Acta Cap. Gen. O.P., I. 51, London, 1250;

³ Acta Cap. Gen. O.P., I. 129.

18 THE DOMINICAN ORDER IN ENGLAND

visitation of York, brother William Helmesley, Master, with all and full authority, under the control, however, of the vicar-general of the provincial, Master William Baktorp.”¹

The provincial organization was the most intricate part of the Dominican machinery. At the head of the Order, and to some extent controlling the provincial activities, were the Master General and the Chapter General.² The members of the general chapter were the provincial priors, with two diffinitors from each province,³ and all general preachers.⁴ At first the general chapters were held every year at Bologna, then alternately at Bologna and Paris, and then indiscriminately in the larger convents in any province.⁵ The general chapter was the highest power in the order; it had supreme legislative authority, and it elected the Master-General,⁶ the electors being the provincial priors and two brethren chosen for the purpose from each provincial chapter.⁷ About the diffinitors the following was enacted: “We ordain that in the chapters of each of the aforesaid eight provinces a certain suitable brother shall be elected by the chapter for two years as diffinitor to the general chapter.”⁸ In the chapter “of the power of diffinitors” occurs the following: “These diffinitors shall have full power to correct the faults of the Master of the Order or to remove him completely.”⁹ It seems that the provincial priors were responsible for defraying the expenses of the diffinitors. The Master-General’s Register for 1397 contains the following: “Item, 19 June . . . the Vicar-General of the Province of

¹ B.M. Add. MSS. 32446, f. 7, v°.

² Heimbucher, *op. cit.*, 549.

³ *Ibid.*, loc. cit.; Archiv, I.

⁴ *Infra*, chapter on Daily Life, p. 31.

⁵ Heimbucher, loc. cit.

⁶ E. Barker, *op. cit.*, p. 15; Heimbucher, *op. cit.*

⁷ Archiv, I. 215.

⁸ *Ibid.*, p. 213.

⁹ *Ibid.*, p. 214.

England was ordered to reimburse brother William Brusener, diffinitor to the General Chapter, for his expenses."¹

It is not easy to set down a list of the Master-General's powers. He was the head of the order; in a sense, the last court of appeal, and had wide discretionary powers.² At the same time, limitations as to the occasion and nature of these powers were sometimes made. The *Calendar of Papal Letters* for 1396-1404 contains the following entry for Boniface IX in the year 1397: "To Raymond, Master-General of the Friar Preachers, power for this time only to create and depute any Friar Preacher of the English Province, of his choice, Prior Provincial of the English Province, any election made by the chapter provincial celebrated in the house of the Order at Newcastle-on-Tyne on the Feast of the Assumption (August 15) last past, apostolic constitutions, and indults and statutes, ordinances and customs of the Order, etc., notwithstanding."³

The order in general had the right of appealing to the Master, as may be seen from the following extract from the General Chapter Decrees of 1272: "We strictly forbid any prior, vicar, or other person to prevent the brothers, directly or indirectly, from writing freely whatever they wish to the Master and diffinitors of the Chapter General."⁴ It also seems that the provincial chapters could and did send petitions to the general chapter. The General Chapter of 1267 legislated as follows on this point: "Petitions which are sent by the provincial chapter to the general chapter shall be sealed with the seal of the diffinitors of the provincial chapter, and the diffinitors going to the *general* chapter and their companions shall take

¹ B.M. Add. MSS. 32446, f. 7.

² Heimbucher, *op. cit.*; Mandonnet, *loc. cit.*, p. 356.

³ *Cal. of Pap. Letters*, V. 1396-1404, p. 151.

⁴ *Acta Cap. Gen. O.P.*, I. 164, 165.

20 THE DOMINICAN ORDER IN ENGLAND

with them letters testifying to the seal of the said provincial diffinitors.”¹

From the above account of the Dominican organization it will have been seen that closely regulated dependence was one of its main characteristics. The convent depended upon the province; the province on the order as a whole. Local self-determination, or, indeed, any lesser form of decentralization, was not contemplated. In England, however, a bid for some degree of local independence was made.

The Dominican Order was an “international” body; at the same time, each province of the order had certain national characteristics. Thus, the English province soon began to show a desire for more independence and local autonomy than the central Dominican authority was willing to allow. This attitude resembled that of the Church in England towards the Papal See, and was a part of that fundamental independence and individuality which made England one of the first European communities to emerge, at the close of the Middle Ages, as a nation.

Before considering the details of this attempt at decentralization, some mention may be made of the first settlement made in England, and of the provincial priors. The first account is in the records of the Bologna General Chapter of 1221, which note that brother William, with a convent of friars, was sent to England.² A fuller account is given in Mamachi: *Annalium Ordinis Prædicatorum*.³

From this point the admirable articles in the

¹ Acta Cap. Gen. O.P., I. 138.

² The term “international,” used in speaking of the Middle Ages, is anticipatory and somewhat inaccurate, since no nations, strictly speaking, then existed.

³ Acta Cap. Gen. O.P., I. 2; cf. Stow, Survey of London, IV. 72; and Arch. Journ., XXXV. 135, quoted V.C.H., London.

⁴ Mamachi, Ann. Ord. Præd., lib. II, pp. 647 and 648, pub. 1757; and see Appendix No. 1, p. 135.

Collectanea, II, of the Oxford Historical Society and in the *Victoria County History* for Oxford supply the necessary material to carry on the account of the first settlements in the English province.¹ The main interest of the Oxford Convent is, of course, its connexion with the University. The European struggle between the mendicants and the University of Paris was echoed in Oxford, with certain local variations.²

Lack of material impedes the student of particular Dominican convents in England, even more than it impedes the student of Dominican organization as a whole. Provincial and conventual records being lost,³ the historian of the English Black Friars has to rely on isolated notices in the medieval chronicles,⁴ in the Patent, Close, and Charter Rolls, in Papal Letters, and in local, episcopal, and municipal records, for primary material. For secondary authorities there are seventeenth or eighteenth century collections,⁵ early nineteenth century county historians,⁶ and other odd scraps of precious if disjointed information. The last edition of Dugdale's *Monasticon* gives a list of English houses of the Dominicans,⁷ and there are articles on many of the English convents in the *Reliquary*, and other similar journals, by Father C. F. R. Palmer. These articles, as well as other sources, have been used by the compilers of the *Victoria County Histories*.⁸

England was divided by the Black Friars into four visitations, of which the respective heads were London, Oxford, Cambridge, York. It is uncertain where the

¹ See also *Reliquary*, XXIII; N. Trivet, *Annales*, p. 209; *Cartulary of S. Frideswide* (Oxf. Hist. Soc.), I. 142.

² *Infra*, Chapter V.

³ See Introduction, p. xiii, and see Appendix No. II, p. 136.

⁴ E.g. Matthew Paris, Rishanger, N. Trivet, etc.

⁵ E.g. Mamachi, *Annalium*; Wood, *City of Oxford*.

⁶ E.g. Blomfield's *Norfolk*, Hasted's *Kent*.

⁷ Vol. VI, part 3.

⁸ For further note on sources see Introduction, p. xiii.

22 THE DOMINICAN ORDER IN ENGLAND

boundary lines came between these visitations, so the simplest grouping of the convents will be by counties, in alphabetical order. Besides the four heads of the visitations, the following seem to have been the main convents: Dunstable (Bedfordshire); Chester (Cheshire); Truro (Cornwall); Carlisle; Derby; Exeter (Devon); Melcombe Regis (Dorsetshire); Chelmsford (Essex); Gloucester; Winchester (Hants); Hereford; King's Langley (Herts); Canterbury (Kent); Lancaster; Leicester; Boston (Lancs); Lincoln, Stamford (Lincs); Newport (Monmouth); Lynn, Norwich, Thetford, Yarmouth (Norfolk); Northampton (Northants); Bamborough, Berwick; Newcastle (Northumberland); Rutland; Shrewsbury (Shropshire); Bristol, Ilchester (Somerset); Newcastle (Staffs); Dunwich, Ipswich, Sudbury (Suffolk); Guildford (Surrey); Arundel; Chichester, Winchelsea (Sussex); Salisbury, Wilton (Wilts); Warwick; Worcester; Beverley, Doncaster, Kingston-on-Hull, Pontefract, Scarborough, Yarm, York (Yorks); Brecknock, Bangor, Rhuddlan, Cardiff, Haverfordwest (Wales). Besides these there were houses in Scotland and Ireland, and a Sisterhood at Dartford, Kent.¹

The list of provincial priors of England cannot, with the existing evidence, be made complete. There are, however, notices scattered here and there through the sources of the period,² and these, together with extracts from the Master-Generals' Registers, vouched for by Father Palmer,³ enable us to get a fairly complete sketch of some of the more important priors. The general impression given by these men is that they were capable, often scholarly, and usually of some

¹ For articles on these convents see index to the Reliquary, xvii-xxvi, and New Series, i-iii; also articles "Religious Houses," in the Victoria County Histories; also Dugdale, *Monasticon* VI, part 3.

² These are collected by Dr. A. G. Little in E.H.R. VIII. 519.

³ Arch. Journ. XXXV, art. by C. F. R. Palmer.

political ability. Under such leaders it is scarcely surprising that the English Dominicans developed a provincial self-consciousness of their own, and fretted at the subordination to the central authority of the order exacted by the Masters and Chapters General. The spirit of the English Dominicans, being thus political and social, as much or even more than it was religious, inclined towards laxity rather than strictness in observance of the rule. When the central authority remonstrated, the English province assumed an independent attitude. This state of affairs came to a head in the last quarter of the fourteenth century.

In 1376 the Master-General, Elias of Toulouse, visited England.¹ He found there many abuses. To remedy these, and lead the brothers back to the strict observance, the Master issued some ordinances, in keeping with the constitutions of the order, and commissioned a Dominican, named by him vicar of the province, to put them in execution. The strict Dominicans received these with joy. The laxer friars disliked the unfamiliar austerities, and at last grew so desperate that they had the vicar arrested by the king's men, and thrown, with his supporters, into prison.² At the General Chapter of 1378 the faithful English Dominicans reported and denounced this conduct.³ They felt that the authority of the Master-General was at stake.⁴ The provincial prior, Thomas Vichor, or Russthok, was suspended,⁵ because he had not taken steps to check the scandal. The rebels were declared excommunicated, and condemned to

¹ Mortier, *Maîtres Généraux des Frères Prêcheurs*, III. 402 ff. Mortier has used primary authorities, and on this whole question of the constitutional relations of England to the central authority of the order is most valuable.

² Mortier, *op. cit.*, p. 402.

³ *Acta Cap. Gen. O.P.*, II. 450, 451.

⁴ Ripoll, *Bull. O.P.*, VII. 69.

⁵ T. de Burgo, *Hibernia Dominicana*, pp. 52-7.

prison. A vicar-general was set up to apply the law. Some rebels were cited before the Curia, others were exiled. Among the latter was Friar Bochincanor, Master of Theology, who was assigned to the province of Saxony and lost, by Elias' orders, all the privileges which he enjoyed.¹ At the same time twelve conventual priors were absolved from office.²

The breach was now definitely widened, and the English Dominicans took their stand on three main points of principle. They followed the King and the English people in their adherence to one Pope,³ while the central authorities supported the other,⁴ at the outbreak of the Great Schism. They did not, however, wish to break with the Master-General, Raymund, over this; but from motives which they considered non-partisan and, in themselves, just, they sought to limit the Master's control in two ways. First, they felt that Raymund used his position to bestow favours too easily on friars who often did not deserve them. Secondly, they objected to his frequent interference with the promotions to university distinctions.⁵

All those punished at the General Chapter of 1378⁶ had appealed to the Holy See. This appeal was against the laws of the order.⁷ Meanwhile, Urban VI had received the appeal, and had commissioned Cardinal Nicholas Caracciolo, a Dominican, of St. Cyriac, to examine the question, and judge it in the last resource. In 1379 sentence was given. The judgment of Master Elias and the General Chapter of 1378 was annulled. The deposition of Thomas Rustok⁸

¹ Mortier, *op. cit.*, pp. 402-3.

² *Acta Cap. Gen. O.P.*, II. pp. 450 ff. "Absolved," here and elsewhere in Dominican literature, means "deposed."

³ Urban VI.

⁴ Clement VII.

⁵ Mortier, *op. cit.*, p. 652.

⁶ *Supra*, p. 23.

⁷ *Acta Cap. Gen. O.P.*, clauses forbidding appeals to Rome.

⁸ Spelt in various ways.

and the twelve priors was declared void, as was all that Elias and the chapter had done.¹

The new Master-General, Raymund of Capua, now declared that the Cardinal's judgment given above had dealt only with a particular case. The general principle remained untouched. One party among the English Dominicans was furious at this interpretation, and took its stand on the universal principle of non-interference. The friction grew so serious that, in 1392, Boniface IX issued a bull on the subject.² After expressing his profound respect for the dignity and virtue of the Order of Friars Preachers, he proceeds to hold up his pontifical hands in horror at the recent conduct of certain English Dominicans, who, not recognizing that they were, as members, bound to obey the head of the order, had tried to claim, on the authority of Cardinal Nicholas of S. Cyriac, peculiar privileges and independence for their province. These rebellious Dominicans were imperilling the authority of the Master-General, and were withdrawing from the "obedience" of the Holy See and the authorities of their order. The Pope, therefore, "considering that integrity requires those brothers who cherish the Catholic faith to live uniformly," revoked all privileges and orders, of whatsoever description, that were not in keeping with uniformity in the Order of Friars Preachers.

Thus was settled, for the time being, the question of provincial independence of the Master-General with regard to privileges and local constitutional variations. The matter of interference in regard to university promotions remained. In 1388 the provincial chapter at Lincoln³ laid down that no Dominican of the province was to be presented for the Mastership in Theology at Oxford or Cambridge until he had passed

¹ Mortier, *op. cit.*, p. 653.

² Ripoll Bull. O.P., II. 328.

³ See App. No. II, p. 136.

through two years of "opposition"—i.e. until, as a Bachelor, he had maintained his theses in public disputations for two years; that none should gain promotion by "letters of recommendation from the Pope," nor should anyone favour those bearing such letters; and that no Dominican was to receive the Mastership before swearing to observe this decree. Provincial priors, diffinitors, and bachelors were also to take the oath.¹

In 1390 occurs an instance in which these Lincoln decrees were put into practice. Raymund's Register for June 19, 1390, contains the following²: "Item . . . Richard Holmulsey was made a Master by the authority of the Pope by testimonial letters with all solemnity." The English provincial³ refused to acknowledge Holmulsey's promotion.⁴ The latter appealed to the Master-General. On November 16 Raymund wrote to the Provincial of England, telling him he must, under penalty of suspension, receive Friar Richard Holmulsey as Master of Theology, he having solemnly been promoted such by the Pope.⁵ The Register also contains other provocative notices at this time, e.g.: "On the said day he [the Master-General] made the aforesaid brother John de Badewerlis lector for three years in the Convent of Norwich with all graces, etc. . . . On the said day, to the said brother John de Badewerlis, it was conceded that he might, in the Roman court, procure or cause to be procured for himself the Mastership in Theology, from our lord the Pope. Which being procured, there should be conceded to him all the graces owing to a Master; and all the brethren of England, under penalty of prison

¹ Reg. of Raymund of Capua, IV. (i), f. 195; quoted Mortier, III. 655; transcribed Brit. Mus. Add. MSS. 32446.

² Reg. IV. (i), f. 181, quoted Mortier, loc. cit.

³ Ulric Seward, see E.H.R., VIII. 523.

⁴ Mortier, op. cit., III. 657.

⁵ Reg. IV. (i), f. 182, quoted Mortier.

and deprivation of all privileges of the order, must recognize him as a Master." ¹

This was a challenge, and was quickly followed by a bull from Boniface IX, *Inter Religiones*,² which put all the Dominicans in England under the full jurisdiction of the Master-General. The provincial, Ulric Seward, did not, it seems, fall in with these decrees, for visitors were appointed by the Master-General to inspect the English province. "1393. In April was instituted as visitor of the two visitations of the English province, to wit, London and the Marches, over those who contravened the graces and privileges of the order, brother Thomas Palmer, Master in Theology, of the same province; and in the other two visitations, to wit, Canterbury and York, for the same cause was instituted William Baktorp, of the same province."³ Apparently Seward was so far antagonistic to this scheme that he was suspended on April 2,⁴ and replaced by Thomas Palmer.⁵

The English Dominican party opposed to Raymund immediately questioned the validity of Palmer's appointment, and attacked his government.⁶ Master Raymund appointed William Baktorp, formerly visitor, to enquire about this matter. "Item: On the last day of the month of November were sent to William Bacthorp, Professor of Scripture and prior of the convent of Lynn, certain articles . . . into the truth of which he was to enquire in all possible ways. . . ." The articles of enquiry were as follows: First, whether Robert Humbleton, Professor of Holy Scripture, was vicar in the chapter wherein Thomas Palmer, now provincial, was elected, and if he "held the scrutiny and did the other things that ought to have been

¹ Reg. IV. (i), f. 182, v°, quoted Mortier.

² Ripoll, Bull. O.P., II.; and see App. No. III, p. 137.

³ Reg. IV. (i), f. 184, quoted Mortier.

⁴ Ibid., f. 185. ⁵ Ibid., f. 187. ⁶ Mortier, op. cit., III. 660.

28 THE DOMINICAN ORDER IN ENGLAND

done by the vicar, at the election of a provincial prior," or not. Second, whether the said friar Robert was ever excommunicated by the Pope or his commissioner, or not. Third, if the said Robert was so condemned, whether he was later absolved by him "who has the power of absolving from the said sentence," i.e. the Pope, before the aforesaid election was made, or not. Fourth, whether Thomas Palmer, now provincial prior, had ever been disobedient or irreverent, or not. Fifth, "whether or not the same brother Thomas, when provincial prior, pronounced certain weighty judgments, which were, for the most part, contemptible." Sixth, "Whether or not the same brother Thomas sent a certain brother who was not convicted, or, at least, not confessed nor irreverently suspected of fault, to prison, that is, to the penance of bread and water ; and, to extort confession from him, had visited him in prison, which in your province (England) is called sequestration." Seventh, whether the said friar Thomas had ever gone beyond or contravened in any way the acts of the chapter general, the customs of the order, or the liberty of elections, or not. Eighth, whether any friars have been led to leave the order or apostatize, owing to Palmer's rigid rule. Ninth, "If external students (i.e. not belonging to the order) at Oxford were agitating themselves or through others against the privileges granted to students (of the order) by our predecessors and by us, or against the acts of the general chapter held at Venice." These articles are to be used as the basis of enquiry which was to be moderate and without any sign of avarice or anger, as a judicial enquiry, and quite impartial. Careful record was to be made of who spoke and what was said, and by what means the speakers knew of the facts to which they deposed. All information was to be given on oath.¹

¹ Mortier, *op. cit.*, note to p. 661, quoting Reg. IV., f. 190.

In 1394 William Baktorp was made by Raymund his Vicar-General in England, with full authority over superiors and inferiors. If he found Palmer at fault in six out of the nine accusations, he must suspend him, and continue, as vicar, to rule the province until the next prior was elected.¹ On June 28, 1395, Palmer was suspended.² A letter of about this date³ from Master Raymund to Baktorp and the Friars Preachers of the English province shows that the tendencies among the English Dominicans had found vent in certain accusations levelled against the Master-General. These accusations did not spring from any real desire for reform among the English Black Friars, but were merely made to annoy the central authority.

In 1397 Boniface IX issued a bull giving Master Raymund full power to appoint the provincial prior of England, notwithstanding any provincial or conventual chapter decrees to the contrary, or any statute, or ordinance, or indulgence.⁴ Raymund took full advantage of this, and used it to tighten his grip on the English province.⁵ The latter, however, was not to continue to play a lone hand. The Frankfurt General Chapter of 1397 was rather anti-Raymund in spirit. It laid down that no friar was to be made a Master unless presented to this honour by the chapter of his province. It also declared against the bull of Boniface IX, which had commanded the English friars to accept promotions made by the Master-General. Henceforth, if a Black Friar accepted promotion by any other than the chapter, he was to be deprived of means of subsistence.⁶ This probably marks the turning of the tide of general opinion. The last word of Raymund on the subject of privileges

¹ Mortier, *op. cit.*, p. 661, quoting Reg. IV. (i), f. 196, v°.

² Reg. IV. (i), f. 194, quoted Mortier, *loc. cit.*

³ See App. No. IV, p. 139.

⁴ Ripoll, *Bull. O.P.*, II. 867.

⁵ Mortier, *op. cit.*, p. 667.

⁶ *Ibid.*, p. 668.

is to be found in the Register for November 2, 1398,¹ where the Master says it is not his wish to promote criminous or unsuitable friars, and if by accident such are promoted by letters of grace, these are to be annulled.

From this time the struggle lessens in vigour and interest. The English province had made its characteristic stand for independence and local autonomy. The claim had naturally been resisted by the central authorities, but, as often happens in such cases, the claimants got a good deal of the spirit, if not the letter, of their wishes, after the question had faded from the public eye and ceased to be of primary importance in the debates of the order.

The English province is interesting from the point of view of organization, and it is therefore the more regrettable that enough material is not available to produce a detailed, connected account from the thirteenth to the sixteenth centuries, or to make a careful comparison, on specific points, between England and other provinces of the order. In each aspect of English Dominican history this difficulty pulls the enquirer up short; but it is, perhaps, particularly acute in the question of organization, since here there is naturally less corroboration or amplification in contemporary sources—chronicles, poems, local records—than is the case with the political and social aspects of the Black Friars' life in England.

¹ Reg. IV. (i), f. 209, v^o, quoted Mortier.

CHAPTER II

THE DAILY LIFE OF THE DOMINICANS IN ENGLAND

It is difficult to form a picture of the daily life of the English Dominicans. In this case it is not so much the lack of material, as the quality of it, that presents the difficulty. So far as they go, the General Chapter Records and the entries in the Master-Generals' Registers are, of course, reliable, but these do not penetrate deeply into the everyday life of the Black Friar. There is abundant evidence concerning the friars' daily life in contemporary literature, but this is biased almost to the point of absurdity. The friars were the universal scapegoats, were widely known, widely quoted, and widely abused. A large amount of discount must, therefore, be allowed off damaging statements concerning the friars. Further, the Dominican historian must beware of the temptation of reading, for friar, Dominican, and of concluding that all references to the mendicants apply equally to all the orders.

It may be useful to consider, first, such personal details as the dwellings, dress, and food of the Dominicans; secondly, their activities within the convent walls or in connexion with their religious calling; and thirdly, their affairs in the world. Since the constitutional, political, and educational life of the Dominicans is treated in other chapters, it follows that the sketch contained in this chapter will necessarily be incomplete.

The General Chapter Acts contain constant warnings to the Black Friars not to erect over-large, over-luxurious buildings, or to fill their dwellings with

extravagant ornaments.¹ In 1252 the general chapter legislated as follows: "The visitors this year shall state carefully if they discover any extravagance in carved stones, in pictures, in choirs, in seals, in buckles, in knives, in shoe latches, in sticks, in clothing, or the like, and shall correct and punish all such excesses."² The taunts in the political songs of the time, even after due allowance has been made for bias, show that restraint was not the characteristic note of the Dominican buildings. The poem "Jacke Upland" contains the following:

"Why make yee so costly houses
to dwell in, sith Christ did not so,
and dede men should have but graves,
as falleth it to dede men?
And yet ye have more courts
than many lords of England;
for ye now wenden throgh the realme,
and ech night will lig
in your own courts,
and so mow but right few lords doe."³

The author of *Piers the Plowman's Creed* speaks, with the appearance of truth, as follows, of a Dominican house:

"Whouz the pileres weren y-peynt and pulched ful clene
And queynteli i-comen with curiose knottes,
With windowes well y-wrought wide up o-lofte."⁴

There were raised tombs of alabaster and marble, whereon lay sculptured knights, and lovely ladies beside them. The cloister was pillared and painted, covered with lead, and paved with painted tiles. A royal hall was not more magnificent than the refectory, which was glazed like a church. Similar extravagance

¹ Acta Cap. Gen. O.P., I-IV.

² Ibid., I. 64.

³ Pol. Poems and Songs, II. (R.S.), 20; cf. I. 255.

⁴ *Piers the Plowman's Creed* (E.E.T.S.), lines 160-2.

was shown in the other rooms, in the chapel, the kitchens, the dormitory, and the infirmary.¹

In the matter of dress the friars again showed themselves more worldly-minded than was expected, according to their rules. The Constitutions of 1228 enacted "concerning clothes": "The brethren are not to use linen next to the skin. They are not to have more than three tunics with a fur coat or four without a coat. The tunics must come down to cover everything, as far as the ankle. The hood and coat may be shorter than this. Our cloak need only come to the knee. We may have shoes and stockings according to necessity."² Subsequent general chapters had reason to make urgent appeals against luxury in dress and in other things, such as buildings, food, and easy travelling.³ Strict regulations were laid down concerning silence: "Our brethren must keep silence in the cloister, the dormitory, in their cells, in the refectory, and the oratory . . . they may speak elsewhere with special permission. The prior may speak at table."⁴ The punishments for breaking the silence rule varied with the frequency of the offence. They included paternosters, misereres, disciplines and fasts.⁵ The Constitutions of 1228 also contain clauses "concerning the refectory," "concerning fasting," and "concerning breakfast."⁶ Under "concerning compline" occurs: "At other times before compline the lector shall read in Church 'Brethren, be ye sober.'"⁷ At night the friars shall sleep in their tunics, shoes, and girdles. They are allowed to sleep on straw, wool, or sacks.⁸

The political song, "Jacke Upland," suggests that the

¹ Piers the Plowman's Creed (E.E.T.S.), ll. 186-216.

² Archiv, I. 204.

⁴ Archiv, I. (1228 Constitutions) 203.

⁶ Ibid., pp. 197 and 198.

⁸ Archiv, I. 200.

³ Acta Cap. Gen. O.P.

⁵ Ibid.

⁷ Ibid., p. 199.

34 THE DOMINICAN ORDER IN ENGLAND

Dominicans followed neither the letter nor the spirit of the law in this respect, and taunts their extravagance in the following lines :

" Why buy ye you so precious clothes,
sith no man seeketh such,
but for vaine glorie,
as saint Gregorie sayth ?
What betokeneth your great hood,
your scaplerie,
your knotted girdle,
and your wide cope ? " ¹

The same poem also derides the friars who use indulgences and privileges to speak and eat meat at certain times and in certain places.

" Why hold ye silence in one house
more than another,
sith men ought over all to speake the good
and leave the evill ?
Why eat you flesh in one house
more than in another,
if your rule and your order be perfect,
and the patron that made it ? " ²

Privileges to eat in this way were given as follows : On November 24, 1395, Friar William Howard, a Dominican of the Thetford Convent, was granted, amongst other things, " that outside the refectory he could eat meat as opportunity offered, and receive one friar as companion at table ; and that no one could deprive him of his personal possessions. " ³

The three daily activities of the friars which aroused most opposition and comment were hearing confessions, conducting burials, and preaching anywhere and everywhere. To make and to receive confessions was an important part of the Black Friar's work. The

¹ Pol. Poems and Songs, II. 19 ; cf. I. 256.

² Ibid., II. 19, 20.

³ B.M. Add. MSS. 32446, f. 3, v°.

London General Chapter of 1335 legislated as follows on the point: The brothers themselves can absolve each other in those sins in which, by leave of their prior, mutual absolution may be given within the convent; other sins must be taken for absolution to the prior or sub-prior.¹ The Dominicans also acted as confessors to the laity, and it was at this point that they clashed most with the secular clergy, since the latter felt that the friars, by their genial talk, papal pardons, and comparatively unrestricted wanderings had an unfair advantage in the competition for the care of the lay soul. The Dominicans legislated carefully and much on the subject, but friction continued to increase. Care was taken that no Dominican should hear confessions without the leave both of his own superior and of the bishop or priest of the penitent. On this point the General Chapter of 1254 lays down: "None of the brethren shall preach or hear confessions without special permission from his prior. He, moreover, who has permission from his prior to hear confessions shall not receive any to confession without the leave of their bishop or parish priest, nor unless they are willing to confess to their own priests, or promise to do so that year."² In 1236 the General Chapter at Paris decreed: "We warn priors that they must appoint mature, discreet, and safe confessors, who when they go outside [the convent] shall behave themselves carefully. The confessors are to be instructed in the hearing of confessions."³ The General Chapter at Cologne in 1245 rules that friar confessors must be over thirty years of age.⁴ A privilege frequently given to individual friars was that of choosing their own confessor. The Master's Register for 1397 contains the following entry, which is typical of many others: "The same day [June 22] brother John

¹ Acta Cap. Gen. O.P., II. 230. ² Ibid., I. 70. ³ Ibid., I. 9.

⁴ Ibid., I.

36 THE DOMINICAN ORDER IN ENGLAND

Langenyle was assigned as inmate to the London convent, item, that he may choose his own confessor who may absolve him; by authority of the most reverend Master of the order."¹

The popular view of the matter is expressed in a contemporary political song :

" Thai say that thai distroye synne,
And thai mayntene men moste therinne;
For had a man slayn al his kynne,
Go shryve him at a frere,
And for lesse then a payre of shone
He wyl assoil him clene and sone,
And say the synne that he has done
His saule shal never dere."²

It was felt strongly that the friars only shrove those who paid them well for their work. "Jacke Upland" expresses this in the following words :

" Why coveit ye shrift and burying
of other mens parishens,
and none other sacrament
that falleth to christian folke ?
Why busie ye not to heare
to shrift of poore folke,
as well as of rich,
lordes and ladies,
sith they mow have more plentie
of shrift-fathers than poore folke mow ? "³

At first the Dominicans tried to discourage burials in their churches, in order not to compete with the parish clergy. "Burials must not be made in our churches," said the London General Chapter of 1250.⁴ This had to be relaxed, however, on account of the numbers who wished to be buried in the Black Friars' churches. In 1274 the General Chapter confined

¹ B.M. Add. MSS. 32446, f. 6, v^o.

² Pol. Poems and Songs, I. 266.

³ Ibid., II. 22.

⁴ Acta Cap. Gen. O.P., I. 53.

itself to forbidding the friars deliberately to encourage burials in their churches, to the detriment of the parish churches.¹ This was often disregarded, however, and the friars were soon reproached for admitting the rich and refusing the poor for burial in their churches. A Latin contemporary sums up the matter in the following lines :

“ Si dives in patria quisquis infirmetur,
 Illuc frater properans et currens monetur ;
 Et statim cum venerit infirmo loquetur,
 Ut cadaver mortuum fratribus donetur.
 Quod si pauper adiens fratres infirmetur,
 Et petat ut inter hos sepulturæ detur,
 Gardianus absens est, statim respondetur,
 Et sic satis breviter pauper excludetur.”²

The friars also soon spread abroad the idea that whoever was buried in their habit shared the spiritual treasure of their order. Of course they placed a high price on this privilege, and thus earned more scorn from their opposers. “ Jacke Upland ” contains the following lines on the matter :

“ Why make ye men beleeve
 that he that is buried
 in your habit
 shal never come in hel,
 and ye weet not of your selfe
 whether yee shall to hell or no ? ”³

Preaching was one of the cardinal duties of the Dominicans. “ Our order was instituted principally for preaching and for the salvation of souls,” said Humbert de Romans.⁴ The Constitutions of 1228 set forth “ of suitability for preaching,” those who are considered fit for preaching by anyone shall be presented. These must then obtain the licence of the

¹ Pol. Poems and Songs, I. 257.

² Ibid., I. 257.

³ Ibid., II. 21-2.

⁴ Mandonnet, loc. cit., p. 356.

38 THE DOMINICAN ORDER IN ENGLAND

prior and chapter, before entering the office of preacher.¹ Further on in the same constitution occurs the following: "We ordain that none shall be made preacher general until he has read theology for three years." An ordinary preacher may take up his office after studying theology for one year. The preacher may take a companion with him, and he is to be relieved of all temporal cares.² The General Chapter of London in 1250 laid down "let the priors take the greatest care not to appoint to the office of preaching any friar who is not suitable nor of approved manners and knowledge, lest owing to inadequate preaching the order come to be despised."³ The same chapter, dealing with the office of general preacher, enacted that no one was to be admitted to the office of preacher general who was not fitted to deal in chapter with affairs of the order.⁴ It will be remembered that general preachers had an *ex-officio* right to attend the chapter general. The General Chapter of 1283 sheds further light on the question. It sets forth that no *vicars* and their diffinitors may appoint preachers general. Such appointment is reserved for provincial priors and their diffinitors. The said preachers shall only exercise their office in the province in which they were appointed.⁵ Restriction on the numbers of preachers was imposed as follows: "No brother shall preach or hear confessions without special leave from his prior, unless he is a preacher general."⁶

Those friars who left the convent walls and went abroad preaching came in for much popular distrust and scorn. Each convent sent friars round certain districts, or "limitations."⁷ These friars were known

¹ Archiv, I. 219, 220.

² Acta Cap. Gen. O.P., I. 51.

³ Ibid., I. 222.

⁴ Ibid., pp. 223, 224.

⁵ Ibid.

⁶ Ibid., p. 5.

⁷ For an account of a dispute between two convents as to their respective boundaries see App. No. V, p. 141.

as limitours. They journeyed from convent to convent, preaching, teaching, news-carrying, and trafficking in worldly goods. The Paris General Chapter of 1269 enacted that the itinerant friars were to carry testimonial letters with them, as proof of their *bona fides*.¹ Chaucer's impression of a limitour is given in the following lines :

" A frere ther was, a wantown and a merye,
A limitour, a ful solempne man.
In alle the ordres foure is noon that can
So muche of daliaunce and fair langage." ²

The sort of material used by the friars in their sermons and discourses while en route may be seen in John Bromyard's *Summa Predicantium*.³ This book was one of the most important of those summaries for preachers in vogue in the later Middle Ages. Bromyard was an English Dominican, a scholar, and a preacher. His work is one of those compilations, common in the Middle Ages, of principles, scholastically treated, and given with profound seriousness. The chapters are arranged alphabetically according to subject, and show the orthodox stock-in-trade of the Dominican preacher, put together in encyclopædia form by one of the scholars of the order.⁴

Some papal bulls shed light on other sides of the conventual life. That cells for solitary meditation were often attached to the Black Friars' convents, and that these were sometimes almost uninhabitable, is shown by a bull of November 1402, sent by Boniface IX to John Bourne: " Indult to him who formerly, fired with devotion, with licence of his superior and after long remaining in his order, had himself enclosed in a cell in the house of his order at Arundel in the diocese of Chichester, where he still is, but where he

¹ Acta Cap. Gen. O.P., I. 148.

³ Last published Antwerp, 1614.

² Prologue, lines 208-11.

⁴ *Infra*, p. 100.

cannot, with a good conscience, remain, on account of the inconvenience of the place where the said cell is situate, as also of the penury under which the brethren of the said house labour—to transfer himself to another fit and honest place of the same or other order, mendicant, or non-mendicant, with his clothes, books, and other things conferred upon him as alms and under like enclosure, to remain there perpetually.”¹ Grants of cells to individual friars were not uncommon, but were always regarded as special privileges. In 1393 John Langenyle, of the London convent, was granted “a cell and desk by his convent.”² Other such privileges occur frequently in the Masters’ Registers, but it seems that care was taken to see that mere position, as such, did not entitle a friar to a separate room. The General Chapter of 1255 enacted that provincial priors should not have a separate room in which to sleep, nor should lectors, not at the time actually occupied in lecturing, have rooms of their own.

There were many regulations concerning the admission and instruction of novices. The Constitutions of 1228 contain many clauses on the subject. Certain people are ineligible for admission, such as men of servile status, men of another order, or those suffering from a hidden disease. Those from another order, however, may sometimes be admitted with the special sanction of the provincial or general chapters. Cistercians are never eligible. The conventual prior is not to admit any novice, cleric or lay, without the consent of the majority in the chapter. No novice is to be received under the age of eighteen. There are also clauses “concerning the time of probation,” and “concerning the manner of professing.”³ That novices were not at once admitted fully into the

Cal. of Pap. Letters, V. ; cf. IV. 352.

¹ B.M. Add. MSS. 32446, f. 3.

² Archiv, I. 201, 202.

secret counsels of the order appears from the contemporary satirical poem, "Jacke Upland," which contains the following lines :

" Why will ye not suffer
your novises hear
your counsels in your chapter house,
ere that they have ben professed,
if your counsels been true
and after Gods law ? " ¹

The Paris General Chapter of 1286 legislated on the question of the convent cook. The prior or his vicar is to see that the office of cook is filled by each lay novice in turn.² Other convent officials were alluded to in the legislation of the first London General Chapter in 1250. "In each convent the prior is to appoint three brethren to be responsible for the goods of the convent. Each of these three is to have one key, but none of them is to hold all three keys at once." ³

It seems that friars were sometimes translated from one convent to another on account of misbehaviour. In November 1395 Rudolph Scalpi, of the Thetford convent, was removed to Northampton, "and this because Master William de Bacthorp, prior of the convent of Lynn, commissioner of the Master-General, discovered that the said brother Rudolph had dealt wrongly and irreverently with papal letters." ⁴

One notice from the Master-General's Register for 1393 sheds more light than many others on the daily activities of some of the friars, because it enumerates in detail the privileges accorded to a particular friar, which, being many and varied, are suggestive. "Item, brother Richard Hunt was assigned to the London convent with many privileges, to wit, of propounding

¹ Pol. Poems and Songs, II. 20.

² Acta Cap. Gen. O.P., I. 234.

³ Ibid., p. 52.

⁴ B.M. Add. MSS. 32446, f. 3, v°.

the Word of God, having given previous notice to the bishop, and enjoying the privileges of the lectors in other convents; of choosing his own confessor, of visiting friends, of distributing his goods among the order; of absence from certain offices with the exception of those on certain feasts. Item, that he may visit the tombs of the Apostles, and with caution absolve himself from any penalty he may incur." ¹

Friction between the friars and the townsfolk seems to have been part of the daily life of many of the convents in their earlier stages. In 1344 the Black Friars' house at Derby was attacked by a large number of men, who broke into the enclosure, cut down the trees, and took away goods and chattels valued at £60. They beat the friars and their servants, and demonstrated their opposition in all manner of petty ways. A payment of 20s. enabled the prior to get a writ which directed four justices to take legal proceedings against their assaulters, who numbered in their ranks two chaplains and various tradesmen of the town. The reason is obscure, but it seems probable that the townsfolk were endeavouring to assert a claim to the convent lands. ²

In 1274 a special inquisition was appointed in Northampton to deal with encroachments on town rights and property. The jury found that the Black Friars had enclosed for their use a common way six feet broad, from their new churchyard to St. Martin the Great, "to the detriment of the commonalty of the town to the amount of half a mark." ³

Sometimes the King interfered on behalf of the friars in such a way as to rouse the resentment of the townsfolk. In 1267 Henry III sent a special mandate

¹ B.M. Add. MSS. 32446, f. 2, v^o.

² V.C.H., Derby, pp. 79-80.

³ Hund. R. (Rec. Com.), II. 3, quoted V.C.H., Northampton, p. 144.

to all the bailiffs and other officers on the route to allow the Dominicans to carry herrings and other victuals freely from Norwich to Warwick without any toll or other exaction, until the Easter following.¹ As herrings were the staple diet for the friars in Lent, this royal grant meant much gain to the Dominicans, and corresponding loss in tolls and other payments, to the community.

At Yarm also it seems that the townsfolk had some grievance against the Black Friars. In 1302 a commission of Oyer et Terminer was issued to three justices concerning certain persons who entered the friars' close, broke down some walls, smashed the gates, and carried off timber, after beating the servants they encountered. In 1304 the Dominican prior got a writ against those who had entered his close and destroyed grass to the value of 40s. by pasturing cattle there.²

Peace after former friction is shown by the will of John Wode of Chichester, dated 1479, who left a noble to the Black Friars "under the condition that the prior shall not disgrace my brother for that trespass which he, with many others, did in dragging a thief out of the said prior's church against his will, as the prior says."³

A case of certain townsmen's joining with some rebellious friars against their brethren is shown at Boston in 1379. A commission was issued, in that year, to Robert de Willoughby and others to enquire concerning the persons who, "led by certain rebellious friars of the order, by night scaled with ladders the walls of the house of the Friars Preachers at Boston, broke doors and windows, assaulted the prior, Roger Dymoke, and his friars in their beds, so that they were

¹ V.C.H., Warwick, p. 102.

² Ibid., York, pp. 281, 282.

³ Prerogative Court of Canterbury, Logge, f. 111b, quoted V.C.H., Sussex, II, p. 94.

44 THE DOMINICAN ORDER IN ENGLAND

obliged to ring their bells to raise the commonalty of the town to come to their aid, and to cry for rescue." The rebels assaulted the constables, and resisted arrest. The commissioners were now empowered to arrest these offenders and hand them over to justice.¹

Difficulties sometimes arose, unknown to the Dominican authorities, through the friars entering into contracts which they were unable to fulfil with the townsfolk. In 1373 the prior of the Stamford Black Friars was disturbed by suits being brought against him for contracts made by his friars without his knowledge, and for loans, which had never been used in the interests of the convent. On October 30 he obtained a royal writ to the bailiffs of the town, commanding them to stop such suits except in cases where the contracts or money had been used directly for the prior or for his convent.²

The Dominicans' activities in the political and social worlds were not viewed at first with favour by the central authorities of the order. The Paris Chapter General of 1239 laid down: "The brethren must not frequent the courts of the King or nobles without great necessity or for the fruit of souls, nor undertake to be arbiters, nor be concerned in wills, nor stand as executors."³ By 1287 the matter had become more pressing and the general chapter announced severely: "We strictly forbid any friar to enter upon counsels or transactions about marriage, or indeed any great and arduous secular negotiation, without leave of the provincial prior or his vicar. Whoever disobeys this is to be severely punished by the priors and visitors."⁴ The General Chapter of 1296 continues the crescendo: "Since owing to the transacting of worldly business, and especially that of counts and princes, great danger has arisen for our order and persons, because that

¹ V.C.H., Lincoln, p. 215.

³ Acta Cap. Gen. O.P., I. 12.

² Ibid., p. 227.

⁴ Ibid., p. 239.

which wins the favour of one party rouses the hatred of the other, we strictly enjoin the priors and all brothers that these hateful and dangerous negotiations shall be undertaken by none ; nor shall provincial or conventual priors give anyone permission to undertake such negotiations.”¹

The Dominican authorities, however, occasionally granted leave to individual friars to enter secular employment. In 1397 Richard Adoniarensi (?) was permitted to stay in the service of the Lord of Ross,² and on November 18, 1398, Walter Launde was allowed to attend Lord Edward, Duke of Aumarle, as physician.³

The friar's worldly sense is probably not much overstated by Chaucer :

“ He (the friar) knew the tavernes wel in every toun,
And everich hostiler and tappestere
Bet than a lazar or a beggestere.”⁴

The political poems of the period complain of the friars' worldly time-serving :

“ That is blessed, that they blesse,
And cursed that they curse woll ;
And thus the people they oppresse,
And have their lordships at full.
And many be marchaunts of wull,⁵
And to purse pennies woll come thrall ;
The poore people they all to-pull ;
Such false faitours foule hem fall.”⁶

In contrast to their worldly common sense, the Dominicans had their visionary, other-worldly side.

¹ Acta Cap. Gen. O.P., I., p. 29.

² B.M. Add. MSS. 32446, f. 7.

³ Ibid., f. 8, v^o.

⁴ Prologue, lines 240-2.

⁵ The Derby convent was once used as a wool-store, V.C.H., Derby.

⁶ Pol. Poems and Songs, I. 308.

Christ and the Virgin Mary appeared to them in dreams, warning them of such details of daily conduct as the slurring over of psalm reading, etc. This side of their daily life may be pictured from the collection of anecdotes known as the *Vitæ Fratrum*, published by Reichert in Vol. I of his *Monumenta*,¹ and consisting of the work of Friar Gerard de Frachet. These stories are simple, very medieval, and show the working of the Dominican mind untroubled by scholastic reason or its educational trappings. To compare them with the intricate philosophical works of the friars is interesting. In the one, medieval naïveté and other-worldliness are exemplified; in the other, the medieval scholastic method reaches its high-water mark. Both represent typical sides of the Dominican life.

It is scarcely necessary to quote many examples of the current sarcasm and bitterness against the friars in general. One typical passage may suffice:

“ With pride punisheth they the poore,
And some they sustaine with sale;
Of Holy Church make they an hore,
And filleth her wombe with wine and ale;
With money fill they many a male,
And chaffren churches when they fall,
And telleth the people a leaud tale.”²

Such condemnation is cheap, easy, and superficially effective. It is the underlying facts, rather than the interpretation put on these facts by the writer of the poem, that must speak for themselves.

This sketch of some of the activities of the Black Friars is unavoidably inadequate; but it suggests at least that the Dominicans were not men of one idea; that their interests and occupations were manifold, and that they had strayed far indeed from the cloistral “ holy selfishness ” of the monastic ages.

¹ Mon. Ord. Præd. Hist. I.

² Pol. Poems and Songs, I. 307.

CHAPTER III

RELATIONS OF THE DOMINICANS WITH OTHER RELIGIOUS ORGANIZATIONS

THE supreme religious institution of the Middle Ages was the Papacy. With the Pope the Dominicans came in contact in two ways. First, they encountered him in his constitutional relations to the order, which, though ill-defined, were well used and well abused; secondly, they met the Pope in a quasi-political sphere, wherein they became known as the "watchdogs of the Papacy." They preached crusades, raised revenues, undertook diplomatic missions, and did other miscellaneous work for the Holy See. This attachment to the Papacy not only rendered them objectionable to certain sections of the secular clergy and laity,¹ it also strained the relations between the subordinate Dominicans and their central authorities. The latter felt the dangers of a divided allegiance and obedience and legislated against it, especially in the fifteenth century, in no measured terms.²

The relations of the Dominicans with the secular clergy in England were variable and uncertain. The Episcopate, for the most part, accepted the Friars Preachers,³ but the parish clergy, who saw their revenues being deflected into the pockets of the mendicants, naturally looked askance at each fresh activity of the Dominicans. By their constitutions,

¹ G. M. Trevelyan, *England in the Age of Wycliffe*, p. 149.

² *Acta Cap. Gen. O.P.*

³ E.g. V.C.H., Surrey, II. 116; Mandonnet, *op. cit.*

the Friars Preachers were to take particular care not to cause any friction between their order and the parish priests.¹ In practice, however, intentional, as well as inevitable, quarrels seem to have arisen,² while the constant promotion of the Friars Preachers to the higher ranks in the Church could not but excite the jealousy of the secular priests.³

The relations existing between the Dominicans and other regular orders were sometimes friendly, sometimes diplomatic, but more often strained. The earlier monastic orders naturally feared the intrusion of the mendicants, and were scarcely disposed to help them either to settle in England or to find popular favour. The other orders of friars were always potential rivals. The competition between the Black Friars and the Grey or Franciscan Friars was keen and evenly sustained. On the whole, the Franciscans were the more democratic and popular; for the political, ecclesiastical, and social advancement of the Dominicans led them to be regarded as "climbers" by the mass of the people.

Last, the relations of the Dominicans with the Wycliffites were most interesting and important. The Black Friars' political experience here stood them in good stead, for they could enter this religious controversy, which so soon became coloured with political elements, as able opponents both of the religious faith and social opinions of Wycliffe and his followers.

The Dominican Order, from its inception, lived closely under the protecting wing of the Papacy. At every point Dominic appealed to the Pope for confirmation or approval, and throughout the thirteenth

¹ *Acta Cap. Gen. O.P.*, I. 63.

² *V.C.H.*, Cumberland, pp. 197-8; Little, *Studies in Eng. Franciscan Hist.*, pp. 86-117.

³ E.g. Kilwardby. For the whole matter see C. F. R. Palmer, *Prelates of the Black Friars*, Antiquary, XXVI.

RELATIONS WITH OTHER ORGANIZATIONS 49

century this filial attitude was continued by the order.¹ In 1268 the General Chapter laid down²: "As the humility of our order requires us to obey simply and not to discuss the sentences of legates, we strictly command that the sentences of the legates of the Holy See, and especially those of the cardinals, shall be observed carefully, lest we incur the wrath of the Holy See."

That the authorities early recognized the danger of acknowledging a rival power to their own is shown by the following entry in the Constitutions of 1228³: "None of the brothers shall go to the Roman Court without leave of the Master or Chapter-General, but shall send a messenger to the brethren who are there." The "brethren who are there" are explained by the following clause in the acts of the Florence General Chapter of 1257. "The Master-General allows each provincial prior to send one or two discreet and religious brethren to the Curia on the business of their province who shall be there continuously and shall be provided with clothes by their provincial prior." If, however, the provincial prior does not wish to send such friars, none are to presume to go without his leave.⁴

It seems that the Master-General, and not the provincial priors, dealt with offences against these decrees. In 1393 Friar John Leek, of Yarm, had the permission of the Master-General to go to the Roman Court or elsewhere at his will, with a companion of the order.⁵ About the same time, Friar Henry of Aldwinkle, of the convent of Stamford, having been imprisoned for a carnal sin, escaped, and appealed to Rome without the permission of his superior. The

¹ Mandonnet, loc. cit., p. 368.

² Acta Cap. Gen. O.P., I. 142, 143.

³ Archiv, I. 226.

⁴ Acta Cap. Gen. O.P., I. 88.

⁵ V.C.H., York, III. 282, quoted B.M. Add. MSS. 32446.

Master-General imposed a penance on him, and assigned him as a student of theology to the convent of Cologne.¹ In 1398, however, this same discretionary power of the Master-General is shown in the fact that Friar Henry was restored to all the graces of the order and the English Dominicans were forbidden ever to allude to his offence.²

Sometimes the Pope's leave was sought before a new convent was established. In 1418 Hugh Deverell and John Rogers wanted to found what was, in fact, to be the last Dominican house in England, at Melcombe Regis. The English provincial and the Master-General of the order appealed to the Pope for leave. On August 17 Martin II gave permission to erect a convent, a church, a belfry, a churchyard, a cloister, and all things necessary, even without the consent of the ordinary of the place and the leave of any other persons, provided there was no other mendicant house within a given radius, and saving the rights of the parochial churches.³

The Pope had a somewhat elastic power of dispensation, even within the constitutions of the order. A Papal letter of September 1320 was sent to Master Thomas de Wilton, chancellor and canon of London. He had stayed over-long at Paris for his studies, thereby breaking the oath of residence. At the request of James, Cardinal of St. George's, whose chaplain he was, the Pope granted him a dispensation to remain in Paris a year from next All Saints, and to enjoy the fruits of the above benefices, as well as those of his canonry and prebend of Wells.⁴

A very usual favour bestowed by the Popes on individual Dominicans was a papal chaplaincy. For

¹ Ibid., Lincoln, p. 227, which quotes B.M. Add. MSS. 32446, fol. 2.

² Ibid.

³ V.C.H., Dorset, p. 92.

⁴ Cal. of Papal Registers, Papal Letters, II. 1305-42, p. 206.

example, in October 1388 a letter was sent from the Pope to William Belers, a Friar Preacher, conferring on him the dignity of papal chaplain. A similar privilege was, at the same time, accorded to Richard Burton.¹ It seems that these appointments sometimes induced swelled heads in their recipients. A papal letter was sent in August 1326 to the prior of the Friars Preachers in England, telling him to "keep under obedience and correct Thomas Dunkerio of his order, whom the Pope has made papal chaplain, and who considered himself thereby freed from observance of the rule."² Even when the Pope had sought to check the abuse of privileges bestowed by him on the Friars Preachers, he still took care to leave a back door open for his favourites or useful instruments. In October 1393 Boniface IX wrote an exemption for Walter Summerton, Friar Preacher and papal chaplain: "In consideration of his services to the Pope and the Roman Church from the statute and ordinance made by the Pope on the eighth day before the ides following the example of some of his predecessors, against the abuses, brought to his hearing by King Richard and others—to wit, that some Friars Preachers, abusing their immunities, liberties, and privileges as papal chaplains, refuse to obey their superiors, and to be present at and celebrate divine offices, although provided for, like other friars who are not chaplains, from the alms of their houses."³

That it was a serious offence to tamper in any way with Papal Bulls is shown by the following instances. In December 1354 Innocent VI wrote to the Archbishop of Canterbury, bidding him: "Absolve John de Cotum, a Friar Preacher, who, having erased names in papal bulls and inserted others, so that by this

¹ Ibid., IV, 1362-1404, p. 269. See indices to calendars for similar appointments.

² Ibid., II, 1305-1342, p. 253.

³ Ibid., IV, 444.

falsification a certain sum by way of relief might be paid to a certain person by two monasteries, and having thereby incurred excommunication, is now penitent, and desires to be reconciled to the Church, and the apostolic see, whereto he is unable to come in person."¹ Similarly, in March 1329, the Pope had written to the prior of the Friars Preachers in the diocese of Exeter, sending him: "Commission and mandate to absolve Michael Beneyt of that diocese from the excommunication incurred by him for having, in ignorance of the penalty attached, inserted in a papal brief four letters omitted by the writer."²

Two different instances of papal favour to the Black Friars are shown in a letter of Boniface IX in January 1390 to the Archbishop of Canterbury and his suffragans, telling them to "convoke their clergy, secular and regular, exempt and not exempt, the mendicant friars alone excepted, and to induce them to give the Pope a charitative subsidy."³ In 1364 Urban V granted a more positive boon to the Dominicans by giving relaxation "during ten years, of a year and forty days of enjoined penance to penitents who on the principal feasts of the year visit and give alms for the repair of the Church of S. Dominic and the Friars Preachers of Worcester."⁴

The Pope also used his close connexion with the Dominican Order to exact from the Friars Preachers many practical political and diplomatic services. The Black Friars were one of the main papal instruments in the preaching of the later Crusades. In 1250, on April 24, Innocent IV sent urgent letters to certain of the bishops of England, and to the provincials of the Dominicans and Franciscans, telling them to rouse the enthusiasm of the English for the crusade, and to assure them that full indulgences will be granted to

¹ Cal. of Papal Registers, Papal Letters, III. 52.

² Ibid., II. 297.

³ Ibid., IV. 274.

⁴ Ibid., p. 40.

those going on the crusade.¹ A series of similar bulls sent to Kilwardby for publication among the Black Friars are quoted by Kirkpatrick in his *History of the Religious Orders, etc., of Norwich*. These put the responsibility for preaching and spreading enthusiasm concerning the crusade, among clergy and laity, on the shoulders of the Black Friars. The latter were good agents in such a matter, since they went everywhere, knew everyone, and were good speakers and organizers.

The Black Friars were often employed to collect money for the Popes. In 1246 they were given a general and roving commission to get money in aid of the Empire of Constantinople.² It seems that the following somewhat curious instructions were given to the Black Friars. For three years the Dominicans might claim sums, on behalf of the papacy, left in wills under the general heading of good works, or in restitution for ill-gotten goods. Also they might compel reparation by wrongful holders of property.³ On such missions the Black Friars, who had vowed themselves to the ideal of poverty, were employed. It is, perhaps, not astonishing that they sometimes revolted in spirit against this work.⁴

Frequently the Dominicans were employed on diplomatic errands of the Pope. In September 1333 John XXII wrote a letter to Gerald Othonis, Minister-General of the Friars Minor, and Arnold de Sancto Michael, of the Order of Friars Preachers, papal plenipotentiary, telling them to go to England and Scotland to induce the Kings of those countries to make peace, and granting them "faculties to dissolve all pacts and conventions contrary to the said peace

¹ F. A. Gasquet, *Henry III and the Church*, p. 285.

² *Ibid.*, op. cit., p. 263.

³ *Ibid.*, op. cit., p. 263. Papal commission, but no authority quoted.

⁴ Little, *Studies in English Franciscan History*, p. 127.

54 THE DOMINICAN ORDER IN ENGLAND

and to relax oaths taken in opposition to it.”¹ Again in 1345 Clement VI wrote to the cardinals who had been sent as Papal Nuncios to England and France, giving them power to employ the Friars Preachers and Friars Minors in their missions, and to permit them to ride on horseback and eat flesh meat.²

The relations in general of the Papacy and the Dominican Order were well summed up by Matthew Paris. “The Friars Preachers, impelled by obedience, are the fiscal agents, the nuncio, and even the legates of the Pope. They are the faithful collectors of the pontifical money by their preaching and their crusades, and when they have finished, they begin again. They assist the infirm, the dying, and those who make their wills. Diligent negotiators, armed with powers of every kind, they turn all to the profit of the Pope.”³

In considering the relations of the Dominicans with the secular clergy in England, care must be taken to distinguish between the prelates and the ordinary parish priests. The former accepted the Black Friars,⁴ gave them preferment, and dedicated their churches.⁵ The parish clergy regarded them as interlopers, competitors, and unjustly successful rivals. Both the lower and higher ranks of the secular clergy were recruited from the Dominican Order. In spite of regulations to the contrary, the number of Dominican bishops continued to increase, while, if a corresponding number did not actually become parish priests, this was probably due to the fact that the Black Friars could compete successfully with the parish clergy at

¹ Cal. of Papal. Letters, II. 511; cf. Ripoll, Bull. O.P., II. 202, 203.

² Ibid., III. 197.

³ M. Paris, Hist. Angl., III. 317, quoted Mandonnet, Cath. Encyclopædia, loc. cit.

⁴ Mandonnet, Catholic Encyclopædia, loc. cit., p. 368 b.

⁵ Lincoln, Episc. Reg. Mem. Dalderby, f. 129 b, quoted V.C.H., Lincoln, p. 214.

all points, without actually confining themselves to any definite living or cure of souls.

The Dominican Constitutions of 1228 sought to avoid friction between the Dominicans and the episcopate by laying down that no friar was to preach in any diocese without leave from the bishop, *unless authorized to do so by the Pope*.¹ This qualification took much force and value from the prohibition, since papal authorizations were obtained rather by money than by suitability or necessity on the part of the recipients.

Whether the episcopal jurisdiction over the Dominicans extended further than this it is impossible to say with certainty.² When the Black Friars of Carlisle were quarrelling with the local parish clergy, they appealed to Rome and to the bishop.³ It seems unlikely, however, that the bishops had any definite appellate jurisdiction over the friars, since the latter usually appealed either to their provincial, to the Master- or Chapter-General, or to Rome.⁴

The order early foresaw that the learning and capability of the Dominicans made them likely candidates for the episcopate. As high office was scarcely compatible with profession of poverty and humility, decrees were soon made against this possibility. In 1233, at the General Chapter, the Master-General expressed himself strongly, as follows: "I, brother John, Master-General of the order, strictly forbid any brother to seek to raise himself, or be raised, to the episcopate, without leave from the Pope or Master-

¹ Archiv, I. 224.

² Little, *op. cit.*, p. 100, raises the question, and answers it, as regards the Franciscans.

³ Carlisle, Epis. Reg. Halton, ff. 44-5; and Welton, f. 43, quoted V.C.H., Cumberland, p. 198.

⁴ Legislation against appeals to Rome becomes increasingly urgent in the later General Chapter Acts. See Acta Cap. Gen. O.P., II, III, IV.

56 THE DOMINICAN ORDER IN ENGLAND

General, under pain of ipso facto excommunication.”¹ By 1314 it seems that the promotion of Black Friars to the episcopate had caused some outcry against the order, since in the general chapter decrees of that year occurs an emphatic statement that the order, having been brought to contempt by the eagerness of the brethren to get bishoprics, the Master-General orders provincial priors not to give licences easily, for friars to become bishops.²

At the same time, the Popes, not infrequently, filled those vacant sees “reserved” to them with Dominicans. In September 1357 Innocent VI wrote to Thomas de Ringsted, bishop-elect of Bangor, appointing him, being a friar preacher and papal penitentiary, to that see, void by the death of Matthew, and reserved to the Pope.³

Many individual English bishops were particularly well disposed towards the Black Friars. Edmund Rich, Archbishop of Canterbury, had many Dominicans in his company, and had been the close friend of Robert Bacon in the schools.⁴ Bishop Richard of Chichester likewise had a Dominican confessor.⁵ The chief episcopal patron of the friars was Grossetête. In 1235 he wrote to Alardus, the provincial prior, and the diffinitors at the Provincial Chapter of York, asking that Friars John of S. Giles and Geoffrey de Clive might live with him for a year.⁶ He seems, indeed, to have had a succession of friars preachers in constant attendance on him. In 1242 he wrote to Matthew, provincial prior of the Dominicans, complaining of the delay in sending two Dominicans to attend him. Although he considers this an act of liberality, he

¹ Acta Cap. Gen. O.P., I. 4.

² Acta Cap. Gen. O.P., II. 72 ; cf. p. 233, London, 1335.

³ Cal. of Papal Letters, III. 581.

⁴ E. Barker, *op. cit.*, p. 77 ; Trivet, *Annales*, 1240.

⁵ Trivet, *op. cit.*, 1252.

⁶ Letters of Grossetête (R.S.), p. 59 ; Barker, *op. cit.*, p. 29.

explains that it is actually due to him by a papal privilege. He also hopes his two friar companions will be changed less frequently.¹ In 1253 Grossetête was ill at the Manor of Buckden. He sent for Friar John of S. Giles, a skilled doctor of medicine and theologian. The two had long conversations about the state of the Church and the evils threatening it.²

The Archbishop of York wrote on August 24, 1286, to the prior provincial of the Dominicans regretting that he could not attend their provincial chapter at Beverley.³ The respect in which the order was held by Archbishop Greenfield is seen by his letter of January 14, 1315, to the Prior of York. The Archbishop mentions the horrible crimes committed by Robert de Brus and the Scots, and desires the prior to send his brethren to preach against them, and especially enjoining the Prior of Yarm with all speed to preach the word of God publicly in the Dominican Churches, having called the people together for the purpose against the Scots, enemies of God and the Church.⁴ Lastly, in connexion with the bishops, must be mentioned the fact that a Dominican, Robert Kilwardby, was raised, in 1272, to the see of Canterbury.⁵ Kilwardby was a great scholar, philosopher, ecclesiastic, and man of affairs. He has left many works behind to bear witness to his scholarship, while his efforts to organize and regularize his see during his tenure of office show the Dominican passion for order and constitutionalism as applied to the Primacy of England.⁶

¹ Letters of Bishop Grossetête (R.S.), p. 304; Barker, *op. cit.*, p. 29.

² Gasquet, *op. cit.*, p. 340.

³ Hist. L. and P. from the Northern Registers, p. 86.

⁴ *Ibid.*, pp. 238, 239.

⁵ D.N.B., XXI. 120; E. Barker, *op. cit.*, p. 61.

⁶ D.B.N., *loc. cit.*; Hook, *Lives of the Archbishops of Canterbury*, III.

58 THE DOMINICAN ORDER IN ENGLAND

The relations of the Dominicans to the parish clergy were everywhere difficult. Rules were laid down by the general chapters and the Popes, but a stormy period of strife occurred wherein matters came to a head. This period ended, as such periods are apt to end, with a compromise which was stronger on paper than in practice.¹ Difficulties continued to arise, and friction between the parish priests and the mendicants became proverbial, and was inwoven in the political songs of the time :

“ Thai [the friars] travele yerne and bysily,
To brynge doun the clergie ;
Thai speken therof ay vilany,
And therof thai done wrong.”²

Again, in 1252, the general chapter laid down : “ Let the brothers everywhere take care lest they give occasion for disturbance or offence to the prelates or clerks—rather let the brothers have them in reverence and honour, and let them lead the people, as far as they can, to devotion.”³ Similarly, the Paris General Chapter of 1239 had enacted that “ our brothers should carefully exhort the people to honour the Church and prelates and faithfully give them their oaths, and that they should attend their parochial churches.”⁴

One of the chief points of friction between the parish clergy and the Dominicans was confession. The hearing of confessions from the rich was a source of wealth to the Church, since money penalties were not infrequently imposed for sins. When the friars began to become popular as confessors much wealth was therefore deflected from the Church to the mendicants. In 1282 the Dominican General Chapter

¹ Little, *op. cit.*, p. 114.

² *Polit. Poems and Songs*, I. (R.S.), p. 267.

³ *Acta Cap. Gen. O.P.*, I. 63.

⁴ *Ibid.*, p. 11.

of Vienne legislated on the subject. "The brothers should carefully, as far as grace is given them, exhort those who confess to them that at least once in a year they should confess to their parish priests as the statute of the General Council and the Pope orders." Even those who have papal leave to preach are to desist if forbidden by the ordinary.¹ A letter from Archbishop Romeyn of York to Friar William de Hothum shows the attitude of the episcopate to the question. The letter is dated Wycombe, December 10, 1293, and points out that the friars say that whoever confesses to the Friars Preachers, or Minors, need not confess to his own priest. Therefore, the priest need not hear confessions. Therefore, this priest is not responsible for any resulting disaster. But, *ex hypothesi*, he is responsible for his flock. Thus he is both not responsible and responsible, which is impossible.² The wide power and influence of the friars as confessors is told by Chaucer in the Prologue to *The Canterbury Tales*:

"For he [the friar] had power of confessioun,
 As seyde him-self, more than a curat,
 For of his ordre he was licentiat.³
 Ful swetely herde he confessioun,
 And plesaunt was his absolucioun;
 He was an esy man to yeve penaunce
 Ther as he wiste to han a good pitaunce;
 For unto a povre ordre for to yive
 Is signe that a man is wel y-shrive.
 For if he yaf, he dorste make avaunt,
 He wiste that a man was repentaunt.
 For many a man so hard is of his herte,
 He may nat wepe al-thogh him sore smerte.
 Therefore, in stede of weping and preyeres,
 Men moot yeve silver to the povre freres."⁴

¹ Ibid., p. 218.

² Hist. P. and L., from the N. Registers, pp. 102, 103.

³ I.e. he had licence from the Pope "to hear confessions, etc., in all places, independently of the local ordinaries." The parish priest could not grant absolution in all cases, some of which were reserved for the bishop's jurisdiction. See Note to Prologue, ed. Skeat.

⁴ Chaucer, Prologue to *Canterbury Tales*, lines 218-232.

The Pope sometimes interfered in disputes between the friars and the secular clergy. The latter owed him obedience in his capacity of head of the Church militant on earth ; while the friars, as mentioned above, had on many occasions shown themselves willing servants of the Pope. The position of umpire, therefore, in these quarrels was well suited to the Holy See.

In May 1395 Boniface IX wrote to the Abbots of Dorchester, New Abbey-by-the-Tower, and Langley, in the Dioceses of Lincoln, London, and Norwich respectively. He says that he has learned that a contention has arisen between prelates, rectors, and secular clergy on the one side, and the Friars Minor and Friars Preachers on the other, of the province of England, concerning the hearing of confessions and the absolution of those who wish to confess. He commands them to observe the constitution of John XXII, of which he gives exemplification, about the sacrament of penance. He further orders the three abbots " not to permit the friars and those who confess to them to be molested by the said secular clergy ; compelling by ecclesiastical censure without appeal." ¹

Similarly, the friars were occasionally placed in secular livings through the intervention of the Pope. In December 1401 Boniface IX wrote to John Lugood, a Friar Preacher and priest, giving him a dispensation to hold any benefice, office, or personatus, with or without cure, wont to be served by secular clerks, of any value, even if of lay patronage, provided it be not in a cathedral church, and to resign it for exchange or otherwise as often as he will, and hold in its stead a similar benefice, office, or personatus.²

Quarrels between friars and parish clergy also arose

¹ Cal. of Papal Letters, IV. 512.

² Ibid., V. 329. Letters cancelled by strokes with note in margin saying that this privilege had already been granted. *Vide Register of third year of John of Teramo.*

over the question of burials. Owing to promises of consequent benefits accruing in the next world, burial in the Black Friars' churches became more and more popular.¹ This drew another source of revenue from the local vicar, and was bitterly resented by the secular clergy as a whole. Even the Pope here decided against his favourites. Boniface IX wrote to the Archdeacon of London empowering him to "summon the Prior and Friars Preachers of Lynn, in the diocese of Norwich, and to make order touching the canonical portion of the funeral fees of Reginal Hakebeck, Knight, and of Joan Hakebeck, parishioners of Elm in the diocese of Ely, buried in the church of the said friars, which portion is due, as his recent petition contained, to the rector, William de Petteworth, and which the said friars refused to produce."²

In 1357 Archbishop FitzRalph of Armagh pleaded before the Papal Court at Avignon in defence of the secular clergy. He set forth the grievances of the parish priests, and the self-assertion of the friars, who sought by spicy tales and doubtful jests to win popular favour.³ Evidently the parish clergy sometimes found themselves between the two fires of their parishioners and the friars. At a visitation by the Dean and Chapter of Exeter early in the fourteenth century the parishioners of Colyton in Devon complained that their priest gave them but scanty instruction, and that, unlike his predecessor, who had welcomed the friars, he would not allow this instruction to be supplemented by the mendicant preachers. They pray that he may be corrected, for their good.⁴

The Papal Bulls of the last half of the thirteenth

¹ C. F. R. Palmer, *Burials at the Black Friars' Churches*.

² *Cal. of Papal Letters*, V. 95.

³ W. W. Capes, *A History of the English Church in the Fourteenth and Fifteenth Centuries*, p. 318.

⁴ *Ibid.*, p. 315.

century mark the various stages in the keenest phase of the struggle. In 1254 the Bull *Etsi Animarum*, ostensibly addressed to all the religious, but really meant to apply specially to the mendicant orders, was issued. The Pope explains that he has received daily complaints of the encroachment of some religious on the sphere of the parish priests. The Bull introduces nothing new, but regulates certain details in the relationships of the two bodies. First, the friars are not to hear the confessions of any except with the consent of the parish priest. Second, the friars are only to preach in their churches at certain specified times; and third, they are never to preach in the parish churches except by the invitation of the priest-in-charge. Anyone disobeying these commands is to be excommunicated. The enforcement of this Bull is entrusted to the diocesan bishop, without appeal.

Naturally this Bull, a reversal of all previous papal policy towards the mendicants, excited much opposition. The day following its publication Innocent was struck by paralysis. A few days later he died. That his death was supposed to have been hastened by certain petitions to Heaven may be judged from the popular cry: "From the prayers of the Dominicans, good Lord deliver us."

The obnoxious Bull was repealed by Alexander IV, but some steps had perforce now to be taken to adjust the relationships between friars and clergy. In 1281 Martin IV ventured on another Bull, *Ad fructus uberes*. This gave the friars *carte blanche* in the parishes, and took away all control over them by the bishops. As Dr. Little remarks¹: "The series of Bulls which embody this policy rest on the newly developed theory that the Pope, as he is 'universal ordinary' is also *proprius sacerdos* of every catholic." If followed up, and pushed to its logical conclusion,

¹ Little, *Studies in Eng. Franciscan History*, pp. 110-12.

it would have resulted either in the substitution of a regular and itinerant for a secular and resident clergy, or in the rebellion of the national churches against papal dominance. Boniface VIII, however, by the Bull *Super Cathedram* in 1300, solved the problem by a judicious compromise on the three main points at issue. First, the friars are to have full rights of preaching in their own churches and in public, except at certain times. In parish churches they may only preach by invitation of the priest or command of the bishop. Second, the friars shall choose from their own ranks certain persons suitable to hear confessions. These persons they are then to present humbly to the bishop for his confirmation of their confessional rights. Third, the friars are to have the right to bury any who wish it, in their churches, provided they hand over to the parish priest a quarter of the revenues and legacies thus gained. Benedict XI revoked this Bull, as leading to further controversies, but it was finally embodied in Canon Law by Clement V.¹

If the rivalry between the friars and the secular clergy was keen, even keener was that between the Dominicans and the other regular orders. The older monastic orders regarded the friars with that vague distrust sometimes felt by middle age towards the rising generation. The contemporary mendicant orders saw in the Black Friars both possible co-operators and potential competitors. In some cases the older orders seem to have disputed the friars' right to settle in certain towns. About 1250 or earlier the Black Friars attempted to settle in Scarborough. The Cistercians seem to have made some protest, and the Bishop of Worcester, as "conservator of the privileges of the Friars Preachers in England," was, in 1279-80, required to protect them.² This opposition of the Cistercians

¹ Little, *op. cit.*, pp. 112-15, and references there given.

² V.C.H., York, p. 277.

continued after the establishment of the Dominicans in the town, for in September 1285 the General Chapter of the Cistercians at Cîteaux complained to the King of the entrance of the Friars Preachers and Friars Minors into Scarborough, stating that their revenues had been so diminished thereby that, instead of being able, as usual, to finance their general chapter for three days, they could only produce funds to cover one day's expenses.¹ At Oxford, again, a dispute arose between the Dominicans and the Canons of S. Frideswide, because the former wished to build an oratory on some land in the fee of the latter. The canons carried the matter before the Pope. On August 16, 1228, judgment was given by those appointed by the Holy See, to the effect that compensation must be given by the friars to the canons, after which the oratory might be built. Gregory IX then confirmed this.² Five years later the making of a gutter provoked a quarrel between the Black Friars and the Abbot of Osney.³ Sometimes, however, amicable exchanges of property were made between monks and friars. In 1291 the Black Friars of Boston exchanged some land peacefully with the Abbot and convent of Kirkstead.⁴ Such exchanges were, however, rare, since the monks, not unnaturally, hesitated to smooth the path for those whom they must have regarded as interlopers.

Transference from one order to another was not encouraged by the Dominicans. In 1279 the Paris General Chapter set forth: "Since it is not expedient that leave should easily be given for one of our orders to transfer to another order, lest, in consequence, our order is brought to scorn, we forbid the conventual priors and their vicars to give such leave to any who

¹ Rymer, *Fœdera*, p. 101.

² V.C.H., Oxford, pp. 107, 108; cf. *Cartulary of S. Frideswide* (Oxford Hist. Soc.), I. 204-7.

³ V.C.H., Oxford, p. 108.

⁴ *Ibid.*, Lincoln, p. 214; Pat. 20, Ed. I, m. 29.

have professed one order, without leave of the provincial prior or his vicars, unless there is urgent necessity." ¹ Papal dispensations, however, were often granted in this connexion. In February 1347 Clement VI wrote giving power to Richard de Waghan, Canon of London, to transfer a Friar Preacher to the Order of S. Benedict, of S. Augustine, or of Cluny.² Though there is no direct evidence on the point, it is probable that the authorities of the Dominican Order in England felt some annoyance at this dispensatory power granted to a canon to deal with a member of their order. Similarly, they were not consulted when Clement wrote directly to William de Orgolio, a Friar Preacher "who has left his order and has since been absolved by a papal penitentiary. Licence, at the request of King Edward, to be received into the Benedictine Order, provided that he enter it within six months."³ Mention of the "prior's licence" is, however, made in the two following instances. In August 1333 Benedict de Eure, late Friar Preacher, was rehabilitated by the Pope, at the King's request. He had, with his prior's licence, transferred himself to the order of the Benedictines at Selby, with power to accept any office therein.⁴ In November 1359 Innocent VI gave to Bicuis Omanghe, monk of the Cistercian monastery of Samaria in the diocese of Raphoe, "An indult to remain in the Cistercian Order, to which he had transferred himself by licence of his superior, ten years ago, from that of the Friars Preachers."⁵ That the Master-General occasionally gave wide powers of transference to individual Dominicans may be seen by the following extract from the Master-General's Register for May 10, 1489⁶: "Brother

¹ Acta Cap. Gen. O.P., I. 203.

² Cal. of Papal Letters, III. 226.

³ Ibid., p. 164.

⁴ Ibid., II. 379.

⁵ Ibid., III. 607.

⁶ Add. MSS. 32446, f. 12 (old fol. no. 23).

John Churchgate, of the London Convent, may transfer to any other order of an equal or stricter kind, within six months. Rome."

The Dominicans, probably on account of their reputation for learning, were often appointed arbitrators in monastic disputes. In 1267 the Prior of the Pontefract Black Friars was commanded by the Archbishop of York to adjudicate on the merits of Thomas Bek, lately presented by the monks of Pontefract to the vicarage of All Saints. Two years later, certain disputes between the Cluniac monks of Pontefract and Monk Bretton were settled in the Dominican convent. Oliver d'Eincourt, the prior, was one of the four arbitrators. The priors of the Black Friars of Newcastle-on-Tyne, Carlisle, York, and Lancaster were also present.¹ In 1261 Alexander IV commanded the Friars Preachers to send two friars to every diocese to discover and report what churches were appropriated by monasteries, the annual revenues of such churches, and whether perpetual vicars were appointed, and, if so, at what salaries. The monks resented this ecclesiastical domesday enquiry, and condemned the friars as spies of the Church.² In 1392 a Dominican, John Parys, as commissioner of the Archbishop of Canterbury, condemned Henry Crompe, a Cistercian monk, for heresy. A council had sat since May 28 in the Carmelite friars' house to consider the question. The decisive factor for the monk's condemnation seems to have been that he had held "views antagonistic to the friars on the question of the latter's rights as against the parish priests to hear confessions."³ The sensitiveness of the Friars Preachers about their confessional rights, here and

¹ V.C.H., York, p. 272, quotes Giffard's Reg. (Surt. Soc.), p. 22.

² Little, *op. cit.*, p. 99; Cal. of Papal Letters, I. 375.

³ Fasciculi Zizaniorum (R.S.), pp. 343. 348

elsewhere, suggests that they were not very sure of their own position in the matter.

There is not very much evidence as to the relations between the Dominicans and the lesser mendicant orders. These were neither dangerous rivals nor powerful allies for the Friars Preachers. The Franciscans, however, were the equals of the Dominicans in numbers and influence, and were, therefore, both potential rivals and potential allies. In 1236 the Paris General Chapter of the Black Friars legislated as follows: "In memory of the peace between our brethren and the Minors we warn, ask, and advise our priors and brothers diligently to love and honour the Friars Minor in heart, words, and works. If anyone attempts to act against this, let him be severely punished."¹ This deliberate friendliness is again shown in the record of the General Chapter of 1244, which states that only Friars Minor, and no other "outsiders," are to be received in Dominican dormitories.²

In England, rivalry rather than friendship seems to have been the dominant note in the relationships between the two orders, except when they were co-operating against a common foe, such as Wycliffe or the Universities. Matthew Paris gives the following causes of dispute between them: "The Preachers asserted that theirs was the earlier order, and that therefore they were the more worthy; and they were more decorous in their dress, and had merited their name and office by their preaching, and so were, with reason, distinguished by the apostolic dignity; but the Minors replied that, as they had chosen in God's service a life of more rigour and humility, and one of greater worth because of more holiness, brethren might freely pass over from the Preachers to themselves as from an inferior order to one higher because more

¹ Acta Cap. Gen. O.P., I. 9.

² Ibid.

ascetic. This the Preachers would not hear of, affirming that, though the Minors went about with bare feet and coarse garb and ropen girdle, yet they were not denied the public use of meat, or dainty diet, such as was forbidden to themselves, so that men might not pass from them to the Franciscans, as to a worthier or more ascetic order, for quite the contrary was true."¹ This quarrel really arose from the proselytizing zeal of the two orders. Each tried to win over the unprofessed novices from the other. Eccleston remarks of the Dominicans that they "were wont to profess on the day of their entry, if they liked, as did Friar R. Bacun of good memory."² Friar Albert of Pisa, the Franciscan Provincial of England, got a Bull from Gregory IX prohibiting this practice, and saying: "The Friars Preachers were not to bind anyone so as to prevent him entering any order he chose, nor were the friars to admit their novices to profession till the year of probation had been completed."³ From Innocent IV the Dominicans got a similar privilege. No Friar Minor should receive those bound to them [the Friars Preachers]; if he did so, he should be excommunicated. The Dominicans swore to observe the same in regard to Franciscan novices.⁴ Eccleston regarded this fair arrangement as very hard on his order. "But not long did this tribulation last," he remarks, for Friars William of Nottingham and Peter of Tewkesbury got from Innocent IV a revocation of his constitution.⁵

In the sphere of philosophy also the two orders were rivals. Thomas Aquinas, the leader and centre of Dominican thought, held that the principle of

¹ Quoted W. W. Capes, *op. cit.*, pp. 314, 315; M. Paris, *Chron. Maj.*, IV. 229.

² *Monumenta Franciscana*, I. 56, quoted Little, *Grey Friars in Oxford*, p. 72.

³ *Ibid.*

⁴ A. G. Little, *op. cit.*, p. 72.

⁵ *Mon. Franc.* I. 56, quoted Little.

individuation was not form, but matter. His opponents urged that, on this premise, the individual could not exist in the non-material world. This conclusion was obviously opposed to the medieval theory of the survival of the individual soul after the death of the material body. The Church rallied round the Franciscans, who were the supporters of form as the individualizing principle. Even Kilwardby, though a Dominican, condemned Aquinas's view, along with other errors, in 1276.¹ All the same, this condemnation had little effect, and did not influence Dominican opinion, which followed its great leader here, as elsewhere. In 1284 Peckham, a Franciscan, and Kilwardby's successor in the See of Canterbury, opened an attack on the Thomist position.² His challenge was taken up by the Dominican provincial in a congregation at Oxford,³ and in an anonymous pamphlet apparently by a Cambridge Dominican.⁴ These accused Peckham of having sown discord between the orders, to which the Archbishop replied that he was actuated by no personal spite, but that it was his duty to see that young folk were not contaminated by erroneous doctrines. From this point feeling rather than reason coloured the whole question.⁵ The Franciscans claimed superiority on the score of their humility. The humour of such a claim did not strike the medieval mind. A controversy ensued on the respective attitudes of the two orders to the question of poverty. The first protagonists were Kilwardby and Peckham,⁶ but the dispute continued long after the death of the former, until peace was, to some extent, restored by the intervention of the

¹ A. G. Little, *op. cit.*, p. 73 ; Wood, *Annals*, 1276, p. 306.

² Wood, *op. cit.*, p. 318.

³ Peckham Register, III. 864, quoted Little.

⁴ *Ibid.*, pp. 896-901, 943.

⁵ *Ibid.*, p. 900.

⁶ Brit. Soc. of Franciscan Studies, *De Paupertate*.

chancellor and leading secular masters of Oxford University.¹

There is one interesting notice of the relations of the Dominicans with the Carmelite Friars at Cambridge. A dispute had arisen, mainly, it seems, on three points. First, which of the two orders had the better name? The Dominicans said it was better to be called after a man than after a mountain, while the Carmelites, tacitly admitting this, claimed a superiority over other mountains for Carmel, since it had been sanctified by Elijah. Secondly, in the question of antiquity, the Dominicans laid claim to seven years' seniority. Thirdly, which had the most and strongest papal privileges? "Which," naively remarks Fuller (our authority for this information), "being a matter of fact, depended on the producing and proving their several instruments." The outcome of the dispute is not stated, but Fuller assures us "the quarrels of the friars bred the quiet of the students; the gremials in the University (formerly troubled with the friars contesting with them), had now leave and leisure peaceably to follow their studies."²

Thus the relation of the Dominicans to the other mendicant orders seems to have been mainly one of competition. The fields of co-operation must not, however, be forgotten. The four orders of friars joined in preaching the Crusades, in attacking the exclusiveness of the Universities, and in defending orthodoxy against the assaults of Wycliffe and the Lollards.

A general account of the rise of Wycliffism and the spread of Wycliffe's opinions may be found in G. M. Trevelyan's *England in the Age of Wycliffe*, which gives a good idea of the Wycliffite position as

¹ Little, *op. cit.*, p. 77.

² Fuller, *Hist. of Cambridge* (1840), p. 113.

it is likely to affect the political, social, and religious life of the country. On the principle of "set a thief to catch a thief," the mendicants were the very people to oppose the "wandering priests" of Wycliffe. Like the latter, the friars believed, or were vowed to believe, in the apostolic life of poverty, travelling, and preaching. Unlike the Lollards, however, the mendicants contrived to remain faithful to Church dogmas. Before the Wycliffite position became extreme and anti-papal, the friars were their allies. Before 1380, Wycliffe's main contention was for the disendowment of the English Church. Here the friars were at one with him, and at his trial in 1377 at S. Paul's, a representative from each of the four orders was sent to defend with Wycliffe the cause of evangelical poverty against an endowed priesthood. By 1380 the position had changed. His attack on church property had failed; his patron, John of Gaunt, was no longer in power. From being a Church politician, Wycliffe became a theological reformer. The Pope issued Bulls against him, and ordered another trial at Lambeth. As the "militia of orthodoxy," the friars began to scent battle.¹

Probably before 1382 Raymund, the Dominican Master-General, sent a letter to the English province,² telling the friars, in the name of obedience, to "choose, among the religious, men learned, virtuous, and ardent in defence of the faith, to refute the errors of Wycliffe in sermons, in the courts, and in writing." In 1382 a council was convoked by William of Courtenay, Archbishop of Canterbury, at the Black Friars' house, which answered the demands of this letter. Seven bishops were present at this council, two of whom—John Gilbert of Hereford and William Betilesham of Bethlehem—were Dominicans. Twenty-three theolo-

¹ G. M. Trevelyan, *England in the Age of Wycliffe*, pp. 150-2.

² Mortier, *op. cit.*, pp. 111, 650.

gians were members, of whom three, Robert Humbleton, William Pickworth, and John Lyndlowe, were Bachelors of Arts and Friars Preachers, and three, William Sevard, Prior of London, John Paris, and John Langley, Masters of Arts, of the Dominican Order. The council condemned as heretical ten of Wycliffe's opinions, and as erroneous and pernicious fourteen others.¹

From this point it was war to the knife between Wycliffe and the friars. In 1382 the latter were instrumental in bringing William Swynderby, a Lollard of Leicester, to the stake. As a return, therefore, the Lollards accused the friars of inflaming the late Peasants' revolt.² In a letter to John, King of Castile and Leon, and Duke of Lancaster, the Oxford Dominicans expressed their feelings about the Lollards, and especially about one Nicholas Hereford : "The author of all discord, who caused the late outbreaks of the people, and finding these healed, has devised a new kind of discussion, and stirred up all ranks against our mendicant orders, charging the late rebellion on us." "First, by having impoverished the people for our support ; second, by having set an example of idle mendicancy ; third, because, being the general confessors, we might have prevented it. Our chief enemy is Nicholas Hereford."⁴ Hereford replied to the charges, but his hearers were prejudiced against him. Similarly unavailing were the defences of Richard Wyche and William Taylor.⁵ The latter was burned at Smithfield in 1423.⁶ Wycliffe's personal denunciations of the friars remain to be considered. He made six main points against them. First, he

¹ Mortier, *op. cit.*, p. 651.

² Fasc. Zizan., pp. 334-40 ; G. M. Trevelyan, *op. cit.*, p. 315.

³ Cf. *Pol. Poems and Songs* (R.S.), I. 262, 263.

⁴ Fasc. Zizan (R.S.), pp. 292-4.

⁵ *Ibid.*, pp. 372-3.

⁶ *Ibid.*, pp. 412, 413.

regarded the philosophical forms of the schoolmen, used by them to explain the doctrine of the Eucharist, as unintelligible and unscriptural. Second, he disliked the friars' attachment to the Papacy. Third, he naturally hated those who hunted down his followers with such untiring animosity. Fourth, he regarded the friars as sturdy beggars, capable of and vowed to work, but who, in practice, shirked all forms of labour. Fifth, he objected to the exploitation of the credulity of the simple-minded by the sale of letters of fraternity.¹ These letters were drafts upon the spiritual capital of the order, amassed by the merit of its members, and sold for a price. Sixth, Wycliffe despised the friars for flattering the vanity and superstition of the wealthy.² The friars met these accusations with all the sophistry of the schools, the glamour of the religious, and the authority of papal champions; and it may be that the fact that Lollardy obtained no lasting hold in England was due largely to the friars' activities, though on this point, however great the temptation to do so, it is, of course, impossible to dogmatize.

Thus the Dominicans, who began by being the protégés of the Papacy and the rivals of the secular clergy, the monastic orders, and the other mendicant orders, ended by forming part of a grand alliance of orthodoxy against the insweep of reforming ideals and free thought. This grand alliance was described by Sir John Oldcastle, a famous Lollard martyr, in the following words: "He [the Pope] and you [the clergy regular and secular] make whole the great Antichrist, of whom he [the Pope] is the great head; you bishops, priests, and monks are the body, and the begging friars are the tail, for they cover the

¹ See App. No. VI, p. 142.

² W. W. Capes, *op. cit.*, p. 322, and see App. No. VII, p. 143, for portions of Wycliffe's treatise against the friars.

filthiness of you both with their subtle sophistry.”¹ Allowance must be made for the bitter thrust in the words of one who had suffered personally, and whose cause had suffered much, at the hands of these same mendicants.

¹ W. W. Capes, *op. cit.*, p. 186.

CHAPTER IV

POLITICAL ACTIVITIES OF THE BLACK FRIARS IN ENGLAND

THE Dominicans' activities were not only religious and social, they were also political. The Black Friars' intellectual training fitted them to deal with all classes of society, their wandering habits and frugal diet made them desirable messengers, while their religious knowledge, combined with worldly *savoir-faire*, equipped them suitably as kings' confessors. They were, indeed, more popular with the upper classes, who had political influence, than with the lower, from whom they could hope for no worldly help. In this chapter there will be traced, first, the indebtedness of the Dominican houses to the kings and barons as founders and patrons; second, the connexion of the Dominicans with contemporary politics; and, third, the lives of some outstanding Black Friars who left their mark on the political world.

In most cases the initial founding and endowment of the convents were due to one person or body of persons. The first settlement of the Dominicans in Holborn in 1221 was made possible mainly through the generosity of Hubert de Burgh, who bequeathed to them his mansion near Westminster, as well as many smaller gifts.¹ The Bristol convent was founded by Maurice de Gaunt and Matthew de Gurney.² Melcombe Regis, the last Dominican house in England, was founded, before 1418, by Hugh Deverell and John

¹ V.C.H., London, p. 498.

² Ibid., Bristol, p. 109; Reliquary for 1888, p. 71.

Rogers.¹ Similarly, the chief founder of the Warwick convent was Ralph Boleter,² and of the Worcester convent, William Beauchamp, Lord of Elmby.³ At Beverley the privilege of foundation seems to have belonged of right to Master Stephen Goldsmith, and to have been exercised before 1240.⁴ The town, the crown, and also, in the sixteenth century, the D'Arcy family, claimed to be its founders, but without justification.⁵ The story of the foundation of the Black Friars' house at Pontefract⁶ is told by a contemporary Dominican, Ralph de Bocking, in his *Life of Richard Wych*, Bishop of Chichester.⁷ Edmund de Lacy, son of John de Lacy, Earl of Lincoln, was born in 1227, and early became attached to the suite of Richard Wych. After the latter's death in 1253 de Lacy resolved to found a house of Black Friars on his own estate. He selected Pontefract, and, assisted by "many discreet men, religious and secular," went and laid the foundation-stone himself, saying: "To the honour of our Lady Mary, Mother of God and Virgin, and of S. Dominic, confessor, to whose brethren I assign this place, and also of S. Richard, bishop and confessor, formerly my lord and dearest friend, I, wishing to found a church in this place, lay the first stone." At these words the stone promptly split in three, thus signifying a mystical consent to the three-fold dedication.⁸

In the case of the convents where the founders are not specified, it will usually be found that royalty has been a most generous patron. For instance, in 1229 and most subsequent years, for a time, Henry III gave the Oxford Dominicans wood for building and

¹ V.C.H., Dorset, p. 92.

² Ibid., Worcester, p. 167.

³ Ibid., p. 263.

⁴ Cf. Richard Holmes, *The Black Friars of Pontefract*.

⁵ D.N.B., XXXI, p. 121.

⁶ Ibid., Warwick, p. 101.

⁷ Ibid., York, III, p. 263.

⁸ V.C.H., York, p. 271.

fuel.¹ Northampton was a convent specially favoured by kings. Gifts of money and wood were frequent.² Edward I was the principal patron of the London Dominicans.³ In 1278 the King granted to the Holborn convent all deodands falling to him during the next three years, and other sums.⁴ In 1280 Edward gave the same house 200 marks for the building of their church.⁵ Many other gifts followed,⁶ until their frequency roused the jealousy of the city.⁷ Gifts from Edward I to the Black Friars of Boston often took the form of money for so many days' food.⁸ Similar royal benefactions were made to most of the other convents.⁹

Grants from other sources, such as rich noblemen and townsfolk, to the convents were common. For instance, in 1292, the Boston Dominicans got a plot of land from John de Sutton and Petronilla, his wife, worth 13s. 4d. a year.¹⁰ The London convent received from Elizabeth de Bohun, Countess of Northampton, one hundred marks and a cross made of wood of the Holy Cross, altar-cloths, and other articles.¹¹ Many nobles and wealthy folk stated in their will that they wished to be buried in some Black Friars' Church, and that they bequeathed to the same church and convent certain of their possessions.¹² It would be tedious, as well as impossible, to cite all the available evidence

¹ Close, 15; Henry III, m. 7, 15; Henry III, m. 2, 17; Henry III, m. 15, and 10, 17; Henry III, m. 10, 21; Henry III, m. 10, etc.

² Close, 17; Henry III, m. 2, 159; Henry III, pt. 1, m. 6, etc.

³ V.C.H., London, and authorities there quoted.

⁴ Cal. of Pat. (1272-81), p. 252; V.C.H., p. 499.

⁵ Ibid., p. 376; V.C.H., p. 499.

⁶ V.C.H., London, p. 499, and authorities there quoted.

⁷ Ibid.

⁸ Ibid., Lincoln, p. 214, and authorities there quoted.

⁹ See V.C.H.'s and Reliquary articles and authorities there quoted, and see Apps. Nos. VIII and IX, p. 144 et seq.

¹⁰ V.C.H., Lincoln, p. 214.

¹¹ Nicholas, *Testamenta Vetustata*, p. 60.

¹² E.g. Northampton Wills, p. 68; V.C.H., Warwick, p. 102; Gibbons, *Early Lincoln Wills*, p. 98.

78 THE DOMINICAN ORDER IN ENGLAND

in this matter of gifts¹; but, in considering or condemning the later extent and luxury of the Dominicans' possessions, the fact that most of these were obtained by gift and bequest must not be overlooked.

The interest shown by the kings in the Dominicans drew the latter inevitably into current politics. Henry III had always favoured the Black Friars convent at Oxford. In 1258, not daring to risk another armed parliament at Westminster, he summoned what became known afterwards as the Mad Parliament to the Dominicans' house at Oxford.² John de Darlington, Friar Preacher and King's Confessor,³ was one of the twelve king's commissioners chosen to draw up, in conjunction with twelve baronial representatives, the Provisions of Oxford.⁴ Thus the Black Friars entered the lists as king's champions, while their rivals, the Franciscans, were warm supporters of the baronial cause. Their royalist sympathies were again shown at the time of Edward II's deposition, when they became implicated in the movement for the king's rescue.⁵ On May 1, 1327, a writ for aid was issued to Adam de Cumberhale, who was appointed to arrest John de Stoke, of the convent of the Friars Preachers of Warwick, and bring him to the King. This order was probably due to the part played by the Black Friars in the attempted rescue of Edward II.⁶

That the Dominicans were employed as messengers and on diplomatic missions by both kings and popes may be seen from several examples. An undated letter was written by John XXII to the King of

¹ See App. No. IX, p. 145, for grant to the Norwich Dominicans of a house previously held by the Friars of the Sack.

² M. Paris, *Chron. Maj.*, V. 697; V.C.H., Oxford.

³ *Infra*, pp. 86-7.

⁴ *Annals of Burton (Ann. Monastic)*, I. 447, quoted D.N.B., XIV. 62.

⁵ V.C.H., London, p. 499.

⁶ *Ibid.*, Warwick, p. 102.

England: "Whose letters the Pope has received by Nicholas* de Wisbech, a Friar Preacher. The Pope rejoices at the King's intention to come to the assistance of the Holy Land. . . . Friar Nicholas, with whom the Pope has spoken on this and other matters, will assure the King of the Pope's intention on his behalf."¹ Again, in October 1347, Clement IV wrote to King Edward to say that he had received his envoy, Nicholas Herle, a Friar Preacher, and his letters. The Pope is sending a verbal answer to the King and Queen Philippa by the same envoy.² Urban V in April 1364 wrote to Edward, Prince of Aquitaine and Wales, saying that he "had received with joy his letters sent by William Husee, S.T.P., a Friar Preacher, who has prudently and eloquently made the prince's excuses, and is sent back by the Pope to express his content and to assure the prince and his friends of the Pope's favours."³ During the periods of friction with Scotland and with France, the Friars Preachers were constantly employed as diplomatic envoys.⁴ William de Hothum, elected provincial of the Black Friars in England 1290, was in 1292 appointed by Edward to discuss the claims of the candidates for the Scottish crown, with twenty-three other prelates and magnates.⁵ The same friar later was employed to support Edward's claim to homage from the Scottish King, as may be seen from the following entry in Walter of Hemingburgh's Chronicle⁶: "This claim was put forward in France by the aforesaid knights in the presence of the King and magnates of both countries, and brother William of Hothum, then Prior Provincial of the English Black Friars, read the petition and quoted articles from privileges and other papal and

¹ Cal. of Papal Letters, II. 423.

² Ibid., III. 34.

³ Ibid., IV. 7.

⁴ Bull. O.P., p. 202.

⁵ Arch. Journ., XXXV, art. by C. F. R. Palmer.

⁶ Chronicon Walteri de Heminburgh, II. 33, 34.

royal records, by which the Kings of Scotland did homage to the Kings of England and called them their lords. A short time was given for consultation and for the reply to be delivered." Hothum was next employed, in 1295, as peace agent to the King of France. By diplomatic methods, he induced the latter to consider the resuming of peaceful relations with England.¹ In the middle of the next century another Black Friar, Thomas of Ringstede, was the bearer of papal letters from the Pope to the King of England, urging peace with France.² Thus it appears that the Dominicans were the trusted diplomatic messengers of kings and popes, on small, great, and international matters. After the time of Henry VI, for about eighty years, the Dominican succession of kings' confessors was broken. This probably accounts for the fact that the fifteenth-century Black Friars in England were not so prominent in the political world as had been their predecessors in the fourteenth and thirteenth centuries.

The last political movement in England with which the Dominicans were connected was the Reformation. More from political than religious motives, Henry VIII set himself to suppress the religious houses of England. Even his favourites the friars were not exempted. The evidence on this subject comes almost entirely from the side of crown inspectors. There is, unfortunately, no contemporary Dominican account to adjust the balance, or give us a picture of the inside of the convents on the eve of dissolution.

Poverty is the dominant note of all the convents at the moment of dissolution. In February 1539 the Boston convent submitted to the Bishop of Dover. The site, of about five acres, was valued at 21s. a year. With other possessions the total annual value came to

¹ *Chronicon Walteri de Heminburgh*, II. p. 160.

² *Cal. of Papal Letters*.

46s. 8d.¹ Also in February 1539 the Lincoln convent submitted to the same bishop. It was described as "poor, but well-led." ² In 1538, on October 7, the Stamford convent was surrendered to Dr. London by William Stafforde, the prior, and eight brethren.³

On the eve of the dissolution, John Hilsey was Dominican provincial in England, Bishop of Rochester, and high in royal favour. Hilsey, like some other Dominicans, had a political as well as a religious spirit. In conjunction with Browne, an Austin Friar, he was commissioned by the King to visit the friaries throughout the kingdom. It is not surprising that no difficulty was raised at the London convent over signing the royal supremacy, in 1534.⁴ Such a convenient-minded man could be more useful to Henry inside than outside the Dominican convent. Accordingly pressure was brought to bear, and in 1536, Hilsey was prior commendatory of the Black Friars of London.⁵ The new prior contrived to make things unpleasant for those of his friars who were opposed to the new learning and all its associations. A certain friar, John Maydland, said that he would like "to see the head of every maintainer of the new learning upon a stake—and that of his principal among them—and to see the king die a violent and shameful death and to see the queen buried."⁶ Such friars had either to leave the house or suppress their opinions. The King wanted the friars to change their habits as he "trusted those honest among them had changed their hearts."⁷ On November 12, 1538, the London house was surrendered by the prior and fifteen friars.

¹ V.C.H., Lincoln.

² L. and P., Henry VIII, XIV. 348, quoted V.C.H., Lincoln.

³ V.C.H., Lincoln.

⁴ Ibid., London, pp. 498-502.

⁵ Ibid.

⁶ L. and P., Henry VIII, IX. 846, quoted V.C.H., London.

⁷ Ibid., XIII. (2) 225, quoted V.C.H., London.

Hilsey got a pension of £60 for life, and the friars' lodging in Black Friars.¹

In 1535 a preliminary visit of inspection was paid by Layton to the Oxford convent. Three years later this convent surrendered to Dr. John London, and Messrs. Banaster, Pye, and Fryer. Dr. London, in a letter to Cromwell dated July 8, describes the Oxford house as follows: "The Black Friars hath in their backside likewise divers islands well wooded and containeth in length a ground. Their choir was lately newly builded and great covered with lead. It is likewise a big house, and all covered with slate, saving the choir. They have a pretty store of plate and jewels, and specially there is a good chalice of gold set with stones, and it is better than one hundred marks; and there is also a good cross, with other things, contained in the bill. The ornaments be old and of small value. They have a very fair conduit, and runneth freshly. There be but ten friars being priests, beside the 'anker,' who is a well-disposed man, and have fifty marks yearly of the king's coffers."²

In January 1534 Christopher Hales wrote to Cromwell: "The Prior of King's Langley tells me you have been very good master to him, in which I think you do well. I know neither the place nor his adversary, but I have seen several of his charters, showing that former kings have been good to the house, and I see no reason why such an officer as Mr. Verney should do them wrong."³ Richard Yngworth was prior of King's Langley at the time, and in this same year he went on a visitation to the Eastern Counties, to secure the acknowledgment by the friars of the King's claim to be supreme head of the Church. In

¹ V.C.H., London.

² Ibid., Oxford, p. 121. The "anker" is an anchorite, or religious person living in a cell apart.

³ Ibid., Hertford, p. 449.

1537 Yngworth, having been recommended for the office of provincial, was actually made suffragan Bishop of Dover. In February 1538 Henry VIII commissioned him to visit all the friaries in England, and in May he was ordered to put all the goods into safe custody and take inventories.¹

The John Hilsey mentioned above was a member of the Bristol convent. In 1532 or 1533 he leapt to prominence by replying to the preaching of Hugh Latimer against purgatory and other hitherto stable doctrines, in the church of the Black Friars. In 1534 Hilsey became provincial of the order. In 1536 Bristol submitted, by which time only Prior Oliver and four brethren were left in the convent.²

John Hodgkin, D.D. of Cambridge, lector in theology, and one of the most notable Dominican figures at the time of the dissolution, was a native of the Sudbury convent. In 1527 he was appointed provincial prior by the English Dominicans. In 1534, the year of the royal supremacy, he was regarded with suspicion. Influence from court secured his dismissal, and Hilsey was put in his place. Hodgkin, much disturbed, wrote a rather meanly submissive letter to Cromwell, to try to procure reinstatement. He stated himself "ever ready to do in the most lowly manner such service as shall be commanded." In 1537 he was made suffragan Bishop of Bedford, and four years later he married. Under Mary he was deprived of his preferments, but, on repudiating his wife, he secured dispensation and preferment from Cardinal Pole. Elizabeth confirmed Hodgkin again, after which he took part in several consecrations. He died in 1560.³ It is impossible not to look with regret upon the many changes of front shown by this distinguished Dominican,

¹ Ibid.

² Ibid., Gloucester, p. 109.

³ Ibid., Suffolk, p. 124.

who was so very successful in trimming his sails to meet the prevalent wind.

It is interesting to note that even those convents to which Henry VIII had himself shown marked favour shared the fate of their fellows when the King's greed overcame his sentiment in 1536-9. Within the precincts of the Dominican possessions at Guildford Henry built himself a hunting lodge. In 1530 and 1531 he gave £5 from his privy purse to the Guildford convent. On August 2, 1534, the treaty with Scotland was ratified here, and as late as August 10, 1536, John Hilsey wrote to Cromwell in favour of this convent, asking for perpetual alms in relief of its poverty. When in danger of dissolution, the Friars Preachers of Guildford sent up a petition to the crown, containing four main points. First, they explained that the house was first instituted by Queen Eleanor, wife of Henry III. It could now lay claim to being in part Queen Jane's foundation, and it was proved to include the place of honour lately built by the King within its precincts. It was now in a state of decay. Second, the convent had no property, but lived on alms which had fallen off much of late. Third, they could, therefore, not get food, and were unable to serve the King, "in setting out, trimming and fashioning the ground and gardens about the King's place." Fourth, they begged the "grant of some benefice, prebendary, free chapel, corrody, commandry, or order and governing over any house of alms and prayers." This petition probably remained unanswered, and in 1538 Prior Cobden and six other friars surrendered to the "lord visitor" on October 19.¹

This "lord visitor" was the same Richard Yngworth, suffragan Bishop of Dover, mentioned above. He sold certain goods to pay the debt of the house, and drew up an inventory which is typical of several

¹ V.C.H., Surrey, p. 115.

extant, of different Dominican convent goods at the dissolution: "The Black Freers of Guildforde. This Indenture maketh mencyon off all the staple remayning in the house of the Black Freers of Gilforde receyved by the lorde visitor under the lorde prevy seale and delyvored to John Dabarne, mayor, and to Daniel Mugge to see and order to the kingis use with the house and all appurtenances till the kingis pleasure be further knowen."¹

In 1538 the Bishop of Dover wrote to Cromwell: "The Black Friars in Worcester is a proper house without any lead, and may dispend by year in rotten houses about twenty nobles, but all is in decay. There was an ' ancre ' with whom I had not a little business to have her grant to come out, but out she is."²

Thus, though differing in detail, the Dominican houses show a certain uniformity in circumstances and general attitude, at the time of the Dissolution. The Black Friars had played no small part in the religious, social, and political life of England in the later Middle Ages; but, with the dawn of modern times, they ceased to fit harmoniously into the picture. Their decay and dissolution lay, therefore, in the logic of history as well as in the political-religious scheming of Henry VIII.

Those Dominicans who left most mark on the political world of their time were the kings' confessors. In 1256 Henry III first choose a Dominican for his confessor, and for one hundred and forty-four years after that the Black Friars retained their hold over the royal conscience.³ This assured position at Court enabled them to advertise their diplomatic gifts, and soon it became usual for a Dominican to figure on any commission requiring finesse, learning, or political tact.

¹ For details of the inventory, see V.C.H., Surrey.

² Ibid., Worcester, p. 168.

³ Antiquary, XXII. 115, art. by C. F. R. Palmer, "The Kings' Confessors."

John of Darlington, the first Dominican royal confessor, studied in England and at the convent of S. Jacques, Paris, where he graduated as D.D. Before 1255 he was made prior of the Holborn convent. In that year great popular indignation was shown at the crucifixion of Hugh of Lincoln by some fanatical Jews. John of Darlington pleaded for those Jews who, having taken no part in the crime, yet were being punished for their kinsmen's sins by the unreasoning populace. This drew down hatred on the Black Friars, who, for three days, being deprived of all alms, had not even bread to eat. In 1256 Darlington was made confessor to the King, and used his influence at Court to obtain the release of a Jew from the Tower who had been imprisoned on suspicion of complicity in the murder of Hugh, but who had since embraced Christianity.¹

In 1258 Darlington was chosen as one of the King's commissioners to meet the baronial representatives at Oxford. In 1261 he was present at the drawing up of the instrument by which Henry III agreed to submit any points arising out of the provisions of Oxford to the arbitration of Louis IX of France.² By 1265 Darlington seems to have buried himself in his priorial duties at Holborn, for on September 11 the King wrote to Robert Kilwardby, the provincial prior, asking him to request Friar John de Darlington, who had been useful before in the royal service, to offer himself at Court again. This command was promptly obeyed. Edward I retained Darlington as royal confessor, and in 1278 we find him at Rome on royal business. The King, in fact, contemplated a second expedition to Jerusalem, and sent Darlington as head of an Embassy to Nicholas III to arrange matters. The Pope, after much diplomatic handling by the Dominican, granted certain tenths conditionally to the

¹ D.N.B., XIV. 62 ; Antiquary, XXII. 115.

² Ibid., loc. cit.

King. The collection of these was deputed to Darlington and a papal chaplain.¹ The following year Darlington was promoted by the Pope to the Archbishopric of Dublin, but, owing to the time it took him to wind up his secular affairs, death overtook him in 1284, before he had begun residence.²

William of Hothum, some of whose activities have been mentioned above,³ was also prominent in the political sphere.

On June 16, 1296, Boniface VIII made Hothum Archbishop of Dublin by papal provision. This appointment did not, however, interfere with his political career. In 1297 he accompanied Edward I to Flanders, and later he was commissioned to negotiate for a truce or peace with France. Later he received a similar but more formal commission to treat in company with Bishop Bek and others, with Boniface VIII as mediator, for a peace with France. In June 1298 he was in Rome, when the Pope successfully established this truce. On August 30 in the same year he died, at Dijon, and was subsequently buried in the Black Friars Church at London.⁴

Friar Richard de Winkley, Doctor of Theology and Professor of Holy Scripture, taught in the schools, became provincial of the Black Friars in England, and then was called to Court as chaplain and confessor to Edward III. His diplomatic skill was above the average even of the Dominicans, and he was constantly employed on business needing finesse and tact. In 1337 he went overseas on the King's affairs in company with the Bishop of Lincoln, the Earl of Salisbury, the Earl of Huntington, Sir William Trussell, Sir Reginald de Cobham, and Sir Nicholas de la Bache. For his expenses, on May 6, £6 13s. 4d. was advanced

¹ *Ibid.*, loc. cit. ; *Antiquary*, loc. cit.

² *Antiquary*, XXII. 116.

³ See ante, pp. 79-80.

⁴ D.N.B., p. 415; E.H.R., VIII. 521, 522; *Arch. Journ.*, XXXV.

to him, for which he had later to account in the Exchequer. In October of the same year a Commission was appointed to deal with "grave questions" between the King of England and the King of France. Members of this Commission, besides Winkley, were the Bishop of Lincoln, William de Bohun, Earl of Northampton, Robert de Ufford, Earl of Suffolk, Sir John Darcy, Steward of the Royal Household, John de Ufford, Canon of London, Master Paul de Montifiore, John de Montgomery, Knight, and Master John Wanwayn, Canon of Darlington. These were to "treat with the nobles for their friendship, and with others concerning the staple of wool abroad." On October 7 Winkley was treating with David, King of Scotland, for a truce or final peace. The same Commissioners were to deal with the matter, and a quorum of three could act, provided one of these were the bishop or an earl.

In 1339 Winkley was deprived of his office of Provincial, and a Vicar-General, Angus de Vaussemain, appointed. This angered Edward exceedingly, since, if Winkley neglected his priorial duties, it was only because he was entirely absorbed by affairs of national importance. On June 4, 1340, Winkley was summoned to the General Chapter at Milan. Edward then wrote to the Master-General reproaching him for suspending the provincial. Though Winkley was not reinstated, it seems that the King's intervention had some effect, for the friar was allowed to return to his political activities without further protest. In 1340, 1342, and 1343 "secret and arduous affairs" sent Winkley from England to the Roman Court. These "affairs" seem to have been the question of peace with France. Winkley's last political mission was to Vannes, on the same matter, which, however, was not settled then or during the next century.¹

¹ Antiquary, loc. cit., pp. 262, 263; Arch. Journ., XXXV. 150-2.

Throughout the Hundred Years' War the English Kings' confessors were often employed as diplomatic enquiry agents to the French Court. Apart from this, the Black Friars did not play any very significant part in home politics during this period. After the fall of Richard II, Henry IV continued the tradition of Dominican confessors; but after the time of Henry VI, the Dominicans ceased, for eighty years, to hold the position.¹ The Black Friar confessor was no longer the power behind the throne.

¹ Antiquary, XXIII. 24.

CHAPTER V

EDUCATIONAL ACTIVITIES OF THE DOMINICANS

THE most important sphere of Dominican work was Education. In preaching and in social and political activities the Black Friars were rivalled and surpassed by other groups of men. In education they were supreme. Unlike the Franciscan Order, which at first eschewed learning, the Dominicans, from the outset, were educational enthusiasts.

In 1215 the fourth Lateran Council passed a decree requiring each cathedral school to appoint a master of theology.¹ This decree was ineffectual. S. Dominic met the need for teachers, however, by creating an order vowed to teaching. Humbert de Romans, fifth Master-General of the order, in his *Treatise on the Rule of S. Augustine*, states the matter in the following words: "It is more important for the preachers to have leisure to devote themselves to study than it is for other religious, and for this reason the early fathers [of the order], by choosing the rule of S. Augustine as far as the clauses relating to study were concerned, gave great liberty not only by allowing communal property in books, but allowing, in some cases, individual possession; and by increasing the time given to study."²

Compared with other sides of Dominican life, the Black Friars' educational activities have had more than their fair share of attention. Douais's *Essai sur*

¹ Mandonnet, Cath. Encyclop., loc. cit., p. 360

² Quoted Douais, *Essai sur l'organisation des études dans l'Ordre des Frères Prêcheurs*, 1216-1342, p. 4.

l'organisation des études dans l'Ordre des Frères Prêcheurs, 1216-1342," deals with the educational activity of the whole order, but draws examples mainly from the French province. It is, therefore, unwise to assume, without corroboration, that all Douais's statements apply to the English province. Material concerning the Black Friars' educational organization in England is scarce. Dr. Little has, however, used most of what is available in his articles in vol. viii of the Transactions of the Royal Historical Society (New Series) on *The Educational Organization of the Mendicant Friars in England*. A useful summary may be found in Mandonnet's article on the Friars Preachers in *The Catholic Encyclopædia*. In vol. ii of the *Archiv für Literatur- und Kirchengeschichte des Mittelalters*, Denifle gives a list of illustrious Dominicans, which contains many English names. Dominican scholarship on the Bible is dealt with in an article in the *Dictionnaire de la Bible*, II, "Dominicains sur les Saintes Écritures."

With these authorities to hand, it is unnecessary to describe the Dominican Organization again in detail. The plan of Dominican studies was briefly as follows. Preliminary instruction in the grammar-schools was presupposed before a novice was accepted.¹ Each Dominican convent had a doctor within its walls, who gave lectures which all the friars must attend. Outsiders might be admitted to these lectures.² In the larger convents, or in groups of smaller convents, were *studia sollenia*. These *studia* might be *studia artium* or *studia naturalium*. After two or three years at an art school, a friar with a good report might pass to a *studium naturalium*, to learn natural philosophy, or science.³ The last educational stage was the *studium generale*, established in certain universities of

¹ Little, op. cit., p. 51.

² E. Barker, op. cit., p. 29.

³ Little, op. cit.

Europe. These were conducted by a master, or regent, and two bachelors. First Oxford, and later Cambridge in the English province were made *studia generalia* for the Dominican Order.¹

Certain regulations of the chapters or Masters-General on the organization of schools, the subjects to be taught or avoided, and the persons concerned in studying or teaching, are of peculiar interest. It seems that, as early as 1251, certain schools for boys were staffed by Dominicans. The general chapter of that year enacted, "We warn provincial priors that, for the sake of preserving innocence and building up the good life, they should cause the word of God to be preached to boys in schools." The friars were also to hear the boys' confessions, if they wished to confess.²

Art schools were established in 1265. In 1297 the General Chapter at Venice was a little afraid of the effect of these schools on the immature mind. It warned the priors and vicars to employ the greatest care in the governing of the young; to prevent discursiveness and irrelevance, and to occupy them with definite studies. They were not to go to an arts school unless they were first fully instructed in singing and the divine office, and had completed two years after their entry into the order.³

The subjects proper to be studied form the theme of much legislation. The General Chapter at Oxford in 1280 laid down: "Lectors and masters and all brethren shall give more attention to questions of theology and morals than philosophy and curious matters."⁴ The same chapter enjoined a minimum of theological study for all friars.⁵

In 1248 the London General Chapter found it neces-

¹ Little; Barker, *op. cit.*

² *Acta Cap. Gen. O.P.*, I. 58.

⁴ *Ibid.*, I. 209.

³ *Ibid.*, p. 285.

⁵ *Ibid.*, p. 208.

sary to provide for the preliminary instruction of the young in grammar and music. It ordered the priors and diffinitors of the provincial chapters "each in his own province to provide schools of grammar and music, as many as were necessary to instruct the young in these subjects. These schools of grammar and music were to be staffed by Dominicans, or seculars, at the expense of the convent, if possible."¹

The General Chapter of 1273 strictly forbade the study of Alchemy.² Only grudgingly had the study of art and philosophy been allowed. The 1228 constitutions forbid friars to read "secular and philosophical books." Nor are they to study arts or secular sciences, unless some master or Chapter-General shall make special dispensation on the matter. "But theological books shall be read by young and old."³

References to individual Dominican scholars of the English province in the General Chapter Acts, the Masters' Registers, and the papal documents are few. In 1278 the general chapter commissioned Raymond of Medullione and John Vigorosi to go to England and enquire about the anti-Thomism which was gaining ground within the order in the English province.⁴ No names of English friars are mentioned, but the clause shows that the central authorities of the order regarded the intellectual opposition among the English Dominicans to S. Thomas's doctrines as a serious matter.

The Master-General's Register for 1395 contains an entry which serves to show the kind of privileges given to a lector in the English province. "On November 24 brother Thomas Yswercke was made principal lector for two years in the convent of Thetford with the usual privileges. He could have a

¹ Acta Cap. Gen. O.P., Ibid., II. 323.

² Acta Cap. Gen. O.P., I. 170.

³ Archiv, I. 222.

⁴ Acta Cap. Gen. O.P., I. 199.

companion with whom he might go outside the convent and the city, without special leave, as often as he saw fit." ¹

It seems that busy scholars were sometimes allowed servants to minister to their bodily wants. The register for 1397 sets forth, "The same day [June 20] a faculty was given to Roger Barley, Master of Theology, to have a companion to minister to him." ²

Though the order took much care that only those suitable and of some learning should attend their schools, papal interference sometimes placed an unlettered man among the chosen students. In March 1401 Boniface IX gave Adam de Hilderston a licence "to go to a studium of the order, and to receive the habit which Friars Preachers in holy orders are wont to wear, and to be promoted to all, even holy orders." ³

The connexion of the Dominicans with the Universities was close. Though the university authorities regarded the Black Friars as, in a sense, a body of interlopers seeking to enjoy the privileges without keeping the regulations of the University, they were forced to acknowledge the keen scholarship of the Dominicans. An account of the first coming of the Dominicans to Oxford, with a list of some of the more illustrious Oxford Black Friars, is given in Wood's *City of Oxford*, vol. ii. ⁴

In 1261 the General Chapter of Barcelona laid down: "We assign Oxford to be the studium for the English province, and wish that this shall not be changed without the leave of the general chapter." ⁵ It appears that the same decree had been laid down by the previous chapter, but had not been observed by the provincial prior and diffinitors of England.

¹ B.M. Add. MSS. 32446, f. 3, v^o

² Ibid., f. 7.

³ Cal. of Papal Letters, V. 357.

⁴ A seventeenth-century work.

⁵ Acta Cap. Gen. O.P., I. 110.

The provincial prior is therefore absolved from office and assigned to the Teuton province, to read at Cologne. Students from England and the other provinces, duly appointed to Oxford, are to be welcomed by the priors and diffinitors under penalty of suspension from office.¹ The Dominicans soon became prominent members of the University, and their numbers and scholarship began early to excite the apprehension and jealousy of the seculars at Oxford. This jealousy came to a climax in a heated quarrel between the friars and the University over the question of promotion to degrees. A similar quarrel had rent the University of Paris. The friars wished to be admitted as full members of the University without fulfilling all the conditions imposed on secular students. The dispute rested as much on jealousy as on principle, and was settled by a compromise early in the fourteenth century. *Collectanea*, II, of the Oxford Historical Society's publications contains a detailed account of the quarrel, and some contemporary documents. The article deals first with the Dominicans and the Universities in general. The complaints of the friars against the seculars at Oxford are then set forth. Next comes a fresh set of complaints against the action of the University since the former appeal. The friars now ask for the same privileges as those accorded to Paris in the Bull *Quasi Lignum Vitae*. The answers to these sets of complaints, together with other relevant documents, are dealt with at some length.²

In 1303 a dispute arose at Cambridge between the friars and the University. The Chancellor hurled excommunications at the friars, and especially at Nicholas de Dale and Adam de Hoddon, who were expelled from the University. The friars appealed to the Pope. Both parties then appointed proctors to

¹ Ibid.

² Oxf. Hist. Soc. Publications, *Collectanea*, II.

deal with the matter on their behalf. The Dominican Proctors were John de Westerfield and Peter de Ruda. The proctors of the parties, however, "Taking wit in their way, considering the costliness of that court [Rome] and the long journey thither, remitted the matter at Bordeaux to Thomas, Cardinal of S. Sabine, who accorded them the following conditions :

" 1. That the Chancellor of Cambridge should retract the excommunications in the same place where they were denounced.

" 2. No act of the Regent house was to derogate from the rights of the friars.

" 3. Though by the statutes of the University only the Chancellor (or those by him assigned) were to preach on the first Advent, Septuagesima and Ash Wednesday, yet the friars might freely preach the same days and hours in their own convents.

" 4. That Friar Nicholas de Dale and Adam de Hoddon, if pleased to resume their places in the University, should quietly be admitted. . . .

" 5. That whereas all Bachelors inceptors in Divinity are bound by the statutes to preach *ad clerum* in S. Mary's, the aforesaid friars might preach such sermons in their own convents, first acquainting the Chancellor with the day they chose for the same."¹

At Oxford, Dominicans and Wycliffites first of all made common cause against Church property. When, however, the Wycliffites began propounding their Eucharistic heresies, the friars, monks, and all the orthodox combined with Chancellor Barton to condemn the Wycliffite position. In 1381 the secular party, which had identified itself with Wycliffism, chose Robert Rygge as chancellor. The following year the seculars accused the friars of stirring up revolt. Nicholas Hereford, a Wycliffite, preached a Latin sermon at S. Mary's before the University, exhorting

¹ Fuller, *History of Cambridge*, pp. 78-9.

the University to exclude the friars and monks from all degrees and honours. The friars complained to the chancellor, but the latter refused to have the preacher reprimanded. Thus baffled, the regulars sent a deputation to London, to appeal to Archbishop Courtenay. In 1382 the "Council of the Earthquake" sat at the Black Friars' house and condemned the principal Lollard tenets. The friars joined the bishops in an effort to drag Oxford, willy-nilly, back to orthodoxy. Courtenay sent Stokes, an Oxford friar detailed by the Archbishop to publish the condemnation of Wycliffe, to Chancellor Rygge, to bid the chancellor reprove Hereford and act henceforth in conjunction with Stokes.

A clear issue was thus raised. The Archbishop of Canterbury had, on behalf of the friars, interfered with the liberties of the University. All who cared for these liberties now sided with the Wycliffites. On Corpus Christi Day the sermon at S. Frideswide's was preached by a Wycliffite, Repyngton. The chancellor, his proctors, and the mayor came. The friars were overawed, and their opposition collapsed. Stokes wrote to Courtenay, "I do not know what will happen further. But one thing I must please make clear to you, venerable father, that in this matter I dare go no further, for fear of death. I therefore implore you with tears to help me, lest I or my fellows suffer loss of life or limb."¹ Courtenay called Stokes to London. Rygge, though unbidden, went also, and was sent back with orders to quell Wycliffism in Oxford. He neglected his orders, but was ultimately forced into obedience by the Crown and Church. Thus a victory for the regulars and the authority of the bishops over Oxford were secured.²

The influence of the Dominicans on the intellectual

¹ Quoted by G. M. Trevelyan, *England in the Age of Wycliffe*, p. 301.

² G. M. Trevelyan, *op. cit.*

life of the Middle Ages was largely the result of their interest in education. They absorbed what was best from the existing education, and gave back to medieval thought the resulting fruit ripened by their own peculiar genius.¹ Albertus Magnus introduced the great works of Aristotle to the Latin world. A new line of philosophical and theological investigation was thus opened up which the Dominicans followed, in advance of their contemporaries. Thomas Aquinas, the great pupil of Albertus, propounded an original and complete system of theology and philosophy which is the most profound that Christian thought has ever evolved, and which dominated medieval scholarship. Though neither of these two was English, the English province produced some of the finest Dominican scholars after the two great leaders. In biblical, philosophical, theological, educational, and historical scholarship English names appear prominently.

Corrections, concordances, and commentaries on the Bible were the particular work of the Dominicans. From 1230-36, the Paris Dominicans under Hugh of S. Cher corrected the text of the Bible, by collation with the Hebrew text. The Paris Dominicans of the S. Jacques Convent also drew up the first concordances. They are accordingly known as the *Concordantiæ S. Jacobini*. These early concordances were not very adequate however, and improved ones were attempted by the English students at Oxford under John of Darlington, Richard de Stavensly, and Hugh de Croydon.² This John of Darlington was the same who was confessor of Henry III and Edward I, quæstor of the Pope in England, and later Archbishop of Dublin. He died in 1284.³

¹ For accounts of individual writers, see Quétif and Echard, *Scriptores Ordinis Prædicatorum*.

² Mandonnet, loc. cit.; *Dict. de la Bible*, II. 1464.

³ Leland, *De Scriptoribus Britannicis*, II. 303; D.N.B. and ante, p. 87.

Commentaries on various parts of the Bible were written by many Dominicans, partly owing to the central place held by the Bible in the teaching of the Dominican masters. Thomas Aquinas inaugurated here, as elsewhere, a new method. Instead of annotation, he used dissection of the parts of the book and chapters to show their order and mutual dependence. Many treatises were written by other Dominicans. Among these were Thomas Jorz, an Oxford professor, and Nicholas de Trevet, a master of Oxford.¹ The latter wrote *Expositio in Leviticum* (the MS. of which is now at Merton College and contains a preface by Haimeric, Master-General of the Dominican Order²) and *In Psalterium*,³ and possibly commentaries on Genesis, Exodus, and Chronicles.⁴ Robert of Holcot, another Dominican professor, wrote *Super Duodecim Prophetas*, or commentaries on the twelve lesser prophets.⁵ He also wrote commentaries on Proverbs, Canticles, Wisdom, and Ecclesiasticus.

In philosophy, English Dominicans were also prominent. Robert Kilwardby, sometime provincial of his order and Archbishop of Canterbury, wrote many philosophical works.⁶ His treatise *De Ortu Divisione Philosophiæ* has been styled "the most important introduction to the philosophy of the Middle Ages."⁷ It is a classification of the sciences, and unites the older classifications of the school of S. Victor and the Arabian school of Toledo. Kilwardby's two main divisions are, first, "*Philosophia Rerum Divinarum*," and second, "*Philosophia Rerum Humanorum*." The first is subdivided into *Naturalis*, *Mathematica*, and

¹ Dict. de la Bible, loc. cit.

² D.N.B., LVII. 235.

³ Bodl. MS. 2731.

⁴ D.N.B., loc. cit.

⁵ Leland, op. cit., p. 370; Bale, Index Britanniarum Scriptorum, p. 380.

⁶ D.N.B., XXXI. 121-122; Leland, op. cit., p. 288; Bale, op. cit., p. 383; Pitseus, De illustribus Angliæ Scriptoribus, p. 358.

⁷ E. Barker, op. cit., p. 30.

Metaphysica ; the second into Practica, comprising both Ethics and the Artes Mechanicæ, and Logica, or Scientia Rationalis.¹ Kilwardby also wrote important commentaries on Aristotle's *Logic*, and treatises on Psychology, Physics, and Metaphysics.²

Richard Clapwell, an Oxford Dominican who flourished about 1288, was accused of heresies because of his extreme views on the unity of forms, which was one of the main Thomist doctrines. He has left a treatise, *De Unitate Formarum*, which sets forth his position.

A *Tractatus de Unitate Formarum* was also written by William of Hothum.³

Most theologians composed commentaries on the Sentences of Peter Lombard, and the usual work of bachelors in the University included Disputationes and Quodlibeta. Such are included in lists of the works of William of Hothum,⁴ Richard de Fishacre,⁵ Robert Bacon,⁶ Richard Clapwell,⁷ Nicholas Trivet,⁸ Robert Kilwardby,⁹ and other prominent English theologians. Kilwardby also wrote one of the earliest of the "Summæ" on penance, for the use of confessors.¹⁰

The Dominicans' educational writings consisted of treatises on preaching, materials for sermons, and collections of discourses. One of the most famous collections is the *Summa Predicantium* of John Bromyard.¹¹ This work consists of observations on various subjects, arranged in alphabetical order, and likely to be of use to preachers. It is scholastic in arrangement and flavour, and shows the Dominican love of

¹ De Wulf, *Hist. of Medieval Philosophy*, p. 297.

² D.N.B., XXXI. 121-2.

³ D.N.B., XXVII. 416.

⁴ Ibid. ⁵ Pitseus, *op. cit.*, p. 317.

⁶ D.N.B., II. 373.

⁷ Ibid., X. 374 ; Pitseus, *op. cit.*, p. 377.

⁸ D.N.B., LVII. 234

⁹ F. Hook, *Lives of the Archbishops of Canterbury*, II. 3251.

¹⁰ Mandonnet, *op. cit.*, p. 364.

¹¹ Last edition, Antwerp, 1614

precise expression. For instance, Chapter XVIII on "Adversitas," opens thus: "Adversitas est duplex. Una intrinseca, seu spiritualis, alia extrinseca, seu corporalis. Prima est periculosa, secunda fructuosa. Primam debemus timere, in secunda sperare."¹

Another well-known educational collection is the *Distinctiones* of Maurice of England.

There were not very many Dominican historians, but those of the order who turned their minds to history became prominent among medieval annalists and historians. One of the best was an Englishman, Nicholas Trivet. His *Annals, or History of the Six Kings of England of the House of Anjou*,² are carefully written in pleasing style. He is always judicious, never violent, and shows respect for his order. His work was largely used by Walsingham. Besides the *Annals* Trivet wrote a *Chronicle of the History of the World* for the benefit of Princess Mary, daughter of Edward I. This work begins with Genesis, and contains a chronology of Jewish history. It also deals with the Evangelists and with the Popes till the time of Edward I.

Thus the English Dominicans did much to enrich the reputation of their order for scholarship. A great deal of their work has been lost, but that which remains serves to show that the careful educational arrangements for the order were not made in vain, but bore fruit in the scholarly and systematic, if not very original, work of the Dominican writers from the thirteenth to the sixteenth centuries. These represented all that was best in medieval scholarship, and without them Scholasticism would be, to the modern mind, largely an unintelligible mass of metaphysical obscurities.

¹ Summa Predicantium (Antwerp, 1614), p. 47. See App. No. X, p. 147.

² Edited for the English Historical Society, with Introduction, by Hog.

CHAPTER VI

THE DOMINICAN SECOND ORDER

A CONVENT for women was S. Dominic's first religious foundation.¹ Thus the Dominican second order was, in a sense, senior to the first order. That this is only in a sense true, however, may be seen from the fact that the convent of Prouille was founded by the saint for the specific purpose of housing converts from heresy, and not in order that its inmates should follow any particular rule. Prouille, that is to say, was founded before the Dominican Order was founded. Subsequently, and after the founding of the first order, other Dominican sisterhoods were established, and were given the regulations in force at Prouille, i.e. the Augustinian Rule plus certain special constitutions added by Dominic.² Thus the second order grew up. There was nothing in the logic of the Prouille foundation, so to speak, that necessitated this; therefore it is only in a sense true to regard the second order of S. Dominic, dating from the founding of Prouille, as anterior to the first.

The convent of Prouille was founded in 1205. In the same year the pontifical letters of Innocent III³ confirmed Dominic's apostolic work among the Albigenses. Prouille was the rallying point and centre of the Dominican missions at this stage, and Dominic found it necessary to adopt some rule of life for the increasing numbers of converts entering it. The Rule of S. Augustine provided a satisfactory foundation, on which Dominic built certain precepts of his own,

¹ At Prouille in 1205, *supra*, Introduction, p. xvi.

² Mandonnet, *Cath. Encyclop.*, XII. 355.

³ *Supra*, Introduction.

to govern the lives of the converted sisters, and the brethren living near and ministering to them.¹ In 1219 Honorius III, aiming at a general reform of the religious institutions in Rome, handed over the Sisterhood of S. Sixtus to Dominic, giving it the regulations of Prouille under the title of Institutions of the Sisters of S. Sixtus of Rome. Under this name, the same rule was soon granted to other Dominican sisterhoods.²

The history and growth of the second order, and especially of its relations with the first order, are important. There are, even at first glance, many difficulties to be overcome in organizing a second order, composed of women, to be dependent upon a first order, composed of men, for spiritual governance and help, and yet aloof from the same first order in all that appertained to the second order's womanhood. The sisters' regulations were drawn up to meet these difficulties; but, as will be seen, even after the utmost care had been taken, in this way, the question of the exact relations of the brothers with the sisters under their care proved a subject of constant anxiety and controversy. Minute regulations were issued, and ultimately the problem seems to have faded from its position of primary importance. At the same time, this problem is the key to the history of the Dominican second order.

In 1220 the first General Chapter of the order drew up those constitutions which are complementary to the Regulations of 1216, and which form the second part of the 1228 edition of the rule. A few years later, corresponding additions were made to the rule of the Sisters of S. Sixtus, by the compiling of the "Statuta." These borrowed from the constitutions

¹ Bull. O.P., VII. 410; Balme and Lelaidier, *Cartulaire de S. Dominique*, II. 425.

² Mandonnet, *loc. cit.*

of the brothers whatever was necessary for the sisters.¹ The sisters were now, as at first at Prouille, living under the direction and care of the brothers. Each sisterhood lived under the particular protection and ministration of a prior and about six brethren, specially deputed for the purpose. The duties of these were to examine the convent accounts, to help the sisters in lawsuits, to advise the prioress about punishments, to receive complaints from any sister with a grievance, and to see that the rule and the additional ordinances made by the provincial prior were kept.² Obviously such duties were not light, but would take the whole time and attention of certain brethren. Raymond of Pennafort, Master-General of the Order from 1238-40, a great canonist and a man of practical outlook, thought this dependence of the sisters on the brothers was too great a drag on the latter, whose activities were too important and far-reaching to be hampered by the care of mere women, however saintly. Accordingly he approached not only the General Chapter, but the Pope, on the point, and, on October 25, 1239, received a Bull from Gregory IX: "No brother shall henceforth receive the care of any woman or man by virtue of letters from the Holy See unless these contain express permission to do so."³ John the Teuton, Master-General from 1241-52, took up the same attitude. The sisters were much distressed, and it seems that individual brother Dominicans did not always see eye to eye with their superiors in the matter. The General Chapter of 1242 legislated as follows: "On brethren who administer the sacrament of extreme unction to nuns or other religious women, or who appoint or deprive of office their prioresses, or fill the office of visitor to their houses, we inflict seven days' bread and water, seven psalms

¹ Mandonnet, *op. cit.*, p. 355.

² Mortier, *op. cit.*, I. 346.

³ *Ibid.*, p. 348, and Bull. O.P.

and seven disciplines, and in virtue of holy obedience we strictly enjoin that they shall abstain from those things and not speak of them to others. Those who have visited the women are not excused by papal letters unless these contain an express exemption clause.”¹ In 1243 Innocent IV confirmed the absolution of the brothers from all charge over the sisters.² The sisters resisted this severance and in 1244 Prouille and S. Sixtus obtained a Bull from Innocent granting them each a protector from the first order. Master John protested, but the Pope stood firm, and the precedent was extended, until between May 14, 1244, and March 19, 1246, nine convents were incorporated by special bulls. This infuriated the master, who in 1252 prevailed upon the general chapter to support him in a strongly expressed opinion on the subject. As a result, on September 26 the Bull *Evangelicæ prædicationis* was issued, which freed the brothers from all responsibility towards any convent except those of Prouille and S. Sixtus.³

Humbert de Romans, Master-General of the Order from 1254-63, took a less drastic view of the matter. The constitutions of the order now forbade any dealings between the brothers and the sisters. The latter were in the anomalous position of enjoying the rule, privileges, and indulgences of the Dominican Order, while being under the actual jurisdiction of the bishops. In 1255 Humbert introduced his first modification. The General Chapter of Milan passed the following decree⁴: “We strictly forbid the Master and Chapter to assume the care of nuns or any other women unless this course is approved by three chapters.” Thus incorporation of convents was now allowed, if passed by three chapters. So many were incorporated, as a

¹ Acta Cap. Gen. O.P., I. 24.

² P. Martyr, Summarium Constitutionum.

³ Mortier, op. cit., p. 354.

⁴ Acta Cap. Gen. O.P., I. 75.

result, that Innocent IV's absolution of the brothers became meaningless. Accordingly, on February 6, 1257, Clement IV issued a Bull annulling Innocent IV's Bull, and laying down a new basis of relationship between the first and second orders. The brothers had the right to visit, reform, and correct the sisters' houses; to institute prioresses, though this should habitually be done by the sisters, with the confirmation of the Master-General or Provincial Prior; and to hear the confessions of and administer the sacraments to the sisters.¹ In the same year, Humbert issued a new edition of the sisters' Rule,² which was ratified by the General Council of Valenciennes, 1259.

Subsequent legislation dealt with the difficulties likely to arise in the relations between the two branches of the Dominican family. Such legislation fell into two classes. First, it was important that the brothers who looked after the sisters should be suitable, authorized persons, who would not take advantage of their position. Second, details of organization for the sisters' lives cropped up, and had to be dealt with as they arose.

The first warning as to the relations between the orders was issued in 1259 by the general chapter, which evidently feared that any and every friar would feel himself entitled to receive women into the order as sisters. The following decree forbids this. "We enjoin strictly and in virtue of obedience that no women shall be received as sisters by any brother unless appointed for this by the provincial prior. . . . Provincial priors shall make careful enquiry about this in the next chapter, and shall report to the master how many of these sisters there are, and in what convents they live."³

¹ Bull. O.P., I. 481.

² Mortier, *op. cit.*, p. 536; Mandonnet, *loc. cit.*

³ Acta Cap. Gen. O.P., I. 274.

"We wish and order that the brothers living near sisters' houses should abstain from entering these except in obvious necessity; and others, unless from a reasonable and urgent cause, are not permitted to enter. Brothers going to a sisters' house in which there is not a resident brother shall not presume to enter the cloister."¹

"We forbid any person of whatever status to eat or sleep in these [sisters'] cloisters. Brothers offending in this way and sisters condoning the offence are alike sentenced to three days' bread and water. Only the Master-General or provincial prior can dispense from this penance. No sort of letter or privilege is to admit anyone without the local prior's leave."²

As few people as possible were to have dealings with the sisters. The General Chapter of 1307 decreed that "the vicars of the Master-General or provincial prior were not to become involved in the visiting or administering of the sisters' convents unless there was an express clause in their papal letters allowing them to do so."³ This was reaffirmed and emphasized at the General Chapter of 1327.⁴ Unless specially allowed, secular priests were not to celebrate mass for the sisters. The brothers were to try to say daily mass in all the sisters' convents: if this were really impossible, a secular "honest and mature chaplain" might be requisitioned for the work, with the consent of the provincial prior.⁵

The wealth of the Dominican sisters' houses, which was designed partly to support the brothers' convents, was not to be expended in tithes or other payments. A Bull from Benedict XI to all prioresses and sisters "sends greeting and apostolic blessing to all sisters living according to the institutions and under the care of the brethren of the Order of Preachers." They are

¹ Ibid., p. 257.

² Ibid., p. 274.

³ Ibid., II. 24.

⁴ Ibid., p. 174.

⁵ Ibid., p. 134.

to be excused from paying tenths, and all "Pedages,¹ tolls, and other exactions whatsoever of the King or other lay persons, and indeed from giving procurations to any Legate or Nuncio of the Holy See, or tenths or any other portions."²

The basis on which the whole of the sisters' life rested was their Rule. The Rule, as edited by Balme and Lelaidier in their *Cartulaire de S. Dominique*, is not the original Rule given to Prouille and S. Sixtus, but is taken from a trustworthy quotation of this Rule, given in a Bull for the foundation of another sisterhood in Germany.³

The preliminary vow of profession is set forth as follows: "Whoever is received among the sisters shall promise obedience, not to move from place to place or order to order, to live without property and in chastity, never to leave the house in which she was professed, unless she is transferred for some reason of necessity to another convent of the Order."⁴

The fasts which the sisters were to observe are then detailed. These are similar to the brothers' fasts, and are founded on the Premonstratensian model. As in the Augustine, Benedictine, Cistercian, and Dominican brothers' Rules, the sisters' ordinances command reading at table, to which the sisters must listen reverently and in silence.

Regulations for illness are given. "She who is in the presence of illness must take care not to be negligent or severe, but must so act that the invalid may soon recover." This chimes with the Premonstratensian and Franciscan Second Order regulations. If they are really ill, the sisters may eat meat, but if

¹ I.e. toll paid by travellers, especially those passing through forests.

² Ripoll, Bull. O.P., II. 91.

³ In 1232 Gregory IX gave the Constitutions of S. Sixtus to the Sisters Penitent of Germany.

⁴ Balme and Lelaidier, *Cart. de S. Dom.*, II. 427.

they are not ill enough to need special indulgence as to food, they are not to break their fast.

Novices were not normally to be admitted under the age of eleven. "If, however, there are some who, in order to escape grave scandals, or for spiritual convenience, are received under that age, let them be brought up apart from the others until they have reached the age of fourteen." The Cistercians had a similar regulation.

Silence was to be observed in all places "except in the parlour and the chapter-house at the time of the chapter, and not even in the parlour shall it be broken without special permission." They may whisper, at their work, on the subject in hand, and at the grill with the prioress's permission. "The prioress, on account of necessity or expedience, may give leave to speak in other parts of the building, and may herself speak when it seems to her fitting." The silence rules of the Franciscan "Clares"¹ were similar to these.

Possibly with a view to feminine weakness and vanity on the point, stringent and lengthy rules as to dress are laid down. Dresses shall be white and shall not be at all elaborate or delicate, since "you ought not to give pleasure by your dress, but by your manners and grace of mind; as the King's daughter must be all glorious within." Excess in number or quality of garments is forbidden. "It is sufficient for each nun to have two tunics, two large shirts reaching to the knee, with an adequate fur wrap. The tunic shall not fall below the heel, lest it should be immodestly swept aside by the ground. A sister may have two cloaks if her convent is rich enough to allow this." The sisters are to lie on straw and wool in a woollen vest, and a shirt, if they wish, which must always have a girdle. They are to be tonsured seven times a year.

¹ The name given to the Franciscan second order.

Like those of the brothers, the sisters' faults and punishments are divided into four classes. The prioress has wide discretionary power, and confession and punishment are made more acute by their publicity. An unusually rigid clause as to re-entry into the order is inserted. "If the sisters once leave the convent in a spirit of levity they are never to be received back unless by the special pardon of the Master of the Order."

Rules as to chaperonage when speaking at the grill were strict. "Three mature and religious sisters are to be stationed beforehand at the parlour window; who, or at least two of whom, shall hear all that is spoken by those who have leave to speak from the prior or prioress when it is considered expedient to give such leave. They shall remain at the window and keep watch over all words and gestures, and if they hear anything which is not seemly or discreet, or which is against religion, they shall immediately impose silence on the speakers and report as soon as possible to the prior or prioress. . . . The prioress and three cellarers with the prior and the external cellarers may speak at the window in the presence of the aforementioned witnesses concerning the needs of the house. Indeed the sisters, with the prioress's leave, may speak at the window concerning the needs of the house."

With the exception of the friars guardians no brothers were to enter the sisters' cloisters "except with a cardinal, bishop or legate of the Holy See, or in cases allowed by the rule; and, when inside, shall not speak with anyone unless with licence of the master or provincial prior. The provincial prior may only enter once a year at the time of a visitation, unless it is otherwise ordained for some purpose by the Master-General."

The possessions of the convents were not to be sold

without leave of the prioress and chapter, nor were they to be changed or lessened in number. Account had to be rendered by the internal and external officials of the receipts and expenditure before the prior twice in the year, or oftener if required.

In order not to fall a prey to temptation, all must be occupied in work, except during the hours of prayer, reading, divine office or learning. "All must apply themselves to manual labour, according to the discretion of the prioress." A quiet hour was established in the evening, however. "After compline and nocturne the sisters shall have one hour which they can use for prayer, contemplation or devotion ; but none are to disturb the others by entering, as a result of this, late into the dormitory."

Various officials are mentioned as follows. First, the prioress is to be elected "from the senior and prudent sisters of the convent, and her election is to be confirmed by the Master-General, by whom she may be removed as it seems fit to him. Other officials are to be appointed and changed by the prioress from among the senior and prudent sisters, saving in all things the overriding power of the Master-General." The "external officials" are also mentioned. "For each house, if possible, there shall be appointed four religious, God-fearing men, who shall look after its external affairs." The "internal officials" were evidently women. "In the same way four nuns shall look after the internal affairs, with the advice of the prior and prioress."

Last, the friars guardians are mentioned—"for each house, if possible, there shall be at least six brethren, religious and professing the rule of blessed Augustine, of whom three at least are priests."

The sermons of Humbert de Romans may be taken as typical of the more respectful attitude towards women. "Notice that God gave many privileges to

women, not only over other animals, but over men, and this in the time of nature, in the time of grace, and in the time of glory.”¹ There follows a typically medieval conceit to show that woman is not really man’s inferior but his equal. “God did not form woman from the lower part of man, to wit, his foot, lest man have her for a slave, but from the middle part of man, to wit, from his side, that he have her for a companion.”²

The emphasis laid on education by the Dominicans is reflected in their attitude to women. In his sermon to girls, Humbert remarks: “As it is a praiseworthy act to preach on Christ to boys, as is shown above, so it is a charitable act to instruct girls in this way, as opportunity occurs, either in schools or at home.” The sermon to “girls who are brought up with nuns” shows that the Dominican sisterhoods often undertook the instruction of girls who were destined to become nuns. “Certain virgins are brought up in convents under religious discipline, and later are consecrated to God as nuns, and these are educated that they may be full of praise and worthy to be made the spouses of the King of Glory.”³

It is impossible to obtain reliable evidence as to the relations of the Dominicans with lay women. In the biased anti-mendicant evidence which is all we have, the easy accusation of familiarity with women is used for all, and for more than it is worth. The world always delights to cry “Physician, heal thyself” to a society whose work it is to preach high ideals of con-

¹ This idea of a threefold division of time into periods corresponding to the reign of God the Father, God the Son, and God the Holy Ghost, permeated medieval thought from the time of Joachim of Flore to the disputes concerning the Everlasting Gospel. See Gardner, Joachim of Flore and the Everlasting Gospel; Gebhart, *L'Italie Mystique*; G. G. Coulton, *From St. Francis to Dante*; H. C. Lea, *The Inquisition in the Middle Ages*, etc.

² Humbert de Romans, *Sermons* (Venice, 1603), No. 94.

³ *Ibid.*

duct and thought, and the moral searchlight was gleefully turned on the friars, who had often denounced in their accusers the very sin of which they were now accused. The political songs of the day reflect this spirit, sometimes in coarse, oftener in sarcastic language :

" Iche man that here shal lede his life,
That has a faire doghter or a wyfe,
Be war that no frer ham shryfe,
Nauther loude ne stille.
Thof women seme of hert ful stable,
With faire byhest and with fable
Thai can make thair hertes chaungeable,
And thair likynges fulfille.
Be war ay with the lymitour,
And with his felawe bathe,
And thai make maystries in thi bour,
It shal turne the to scathe."¹

¹ Pol. Poems and Songs (R.S.), I. 265 ; cf. Summoner's Tale, Chaucer, Dialogue between Wife and Friar.

CHAPTER VII

THE HOUSE OF DOMINICAN SISTERS AT DARTFORD

AT first no Dominican Sisterhoods were established in England, although, as we have seen, the first order spread rapidly, and enjoyed much royal patronage. There was no hint of any second order foundation until Eleanor of Castile, wife of Edward I and special benefactress of the Black Friars, conceived the idea of establishing a house of Dominican sisters in the country.¹ Her death in 1290, however, prevented her from beginning to put this project into execution. That she was remembered as the mother of the sisterhood subsequently founded at Dartford is shown by the following words of John XXII in a Bull of 1320.² Speaking of the Dartford convent, he says it is the one "which the said Queen [Eleanor], while she was alive, proposed to found, but could not do so, as death prevented her. . . ."

In 1318 Edward II bethought himself to carry out his mother's design. His first idea was to ask the Friars Preachers already established at Guildford to surrender their house to a sisterhood.³ He even got as far as writing to the Pope, to say that he wished to found a sisterhood at Guildford.⁴ A second letter asks for the grant of a church to the prospective convent, and suggests that the Pope should grant in advance the patronage of a certain church to this

¹ Arch. Journ., XXXVI, art. on Dartford House, by C. F. R. Palmer, p. 242.

² Ripoll, Bull. O.P., II. 353.

³ Arch. Journ., loc. cit., p. 242.

⁴ Rymer, Fœdera, III.

sisterhood.¹ For some reason, however—probably the opposition of the brothers already established there—the scheme fell through. There is no further evidence on the point, but it seems obvious that the brothers would object to being turned out of their dwelling, and that an altogether new site would be more favourable for the sisterhood than the rather inadequate house of the Guildford Black Friars.

Edward II, at this point, thought he might kill two birds with one stone. He had already founded the house of Black Friars at King's Langley, and had wished to endow it handsomely, mainly in order that it might be able adequately to pray for the soul of his favourite, Piers Gaveston, who was buried there. The friars, however, refused large endowments, because such were contrary to their rule.² Edward now saw that he could evade the rule, satisfy the friars' consciences, and ensure the eternal bliss of his favourite by endowing a Dominican Sisterhood heavily, on the understanding that part of the endowment was held to the usufruct of the King's Langley house. On April 22, 1318, he wrote to the Pope to get his sanction for the foundation of a house of Dominican Sisters.³ Another letter followed, asking for permission for the sisters to appropriate certain churches in the King's patronage.⁴ In the same year Edward also wrote to the Master of the Order asking him to have seven sisters in readiness to fill the new convent.⁵ These letters were sent by the hands of two trustworthy friars, Richard de Burton and Andrew Aslakeby. The site for the projected sisterhood remained in doubt. In 1319 Edward wrote to the Pope suggesting that the King's Langley house should be made over,

¹ Ibid., p. 737.

² See *supra*, Chapters I and II.

³ Arch. Journ., XXXVI. 242; Rymer, *Fœdera*, III. 702.

⁴ Rymer *Fœdera*, III. 704.

⁵ Ibid., p. 753.

with its alms, to the sisters. This was apparently not sanctioned; so Edward decided to have a new foundation. In 1321 he wrote to obtain papal sanction to found a house of Dominican Sisters anywhere, and appropriate a church to it. This letter was sent by the hands of Friars Hugh de Offinton and John de Cleye.¹ The *Calendar of Papal Letters* contains a note of the Pope's answer. It grants the King "licence to found a monastery of Augustinian nuns in pursuance of the purpose of his mother, Queen Eleanor, who died before she could carry it out." The Pope also wrote at the same time to the "Augustinian prioress and sisters of the monastery founded by the King," granting them, at the King's request, "an indult like that granted to the prioress and sisters of Beaumont in Valencia, to be free from all tithes, toll and other exactions, levied on the possessions given them by the King, unless special mention of this indult be made in the papal letters. Also they were to be exempt from archiepiscopal and diocesan jurisdiction, and enjoy all the privileges granted to the Order of Friars Preachers."² Before he could proceed further in the matter, Edward II was dethroned.

In 1344 Edward III took up the matter. Sir Thomas Wake of Lidell held letters patent dated August 20, 1344, to bring over four or six nuns from Brabant to found a house in some fitting place in England.³ There is no further reference to this, however, so it seems probable that Sir Thomas withdrew this claim as soon as the King set himself seriously to the work of foundation. Edward decided that Dartford was a suitable site, and accordingly, on October 8, wrote to Bishop Hamo of Rochester explaining his project, and asking licence to found the

¹ Arch. Journ., XXXVI. 242.

² Cal. of Pap. Letters, II. 217; cf. Ripoll, Bull. O.P., II. 353.

³ Pat. 18, Edw., p. 2, m. 26, quoted Arch. Journ., XXXVI. 243.

house in his diocese.¹ A similar letter followed on January 28, 1345, after which the matter seems to have hung fire till on October 21 the Archbishop of Canterbury wrote to Hamo commending the King's proposed foundation to his attention.² Hamo thereupon issued a mandate to the prior and chapter of Rochester, telling them to enquire whether the King's foundation could be made "without harm to us or our church." The King's proposed foundation must, further, not injure the church of Dartford, of which the chapter was patron and impropiator.³ Another letter was sent to the vicar of the Dartford church to enquire if the proposed foundation would injure him. The information from both these parties was to be forthcoming by November 20.⁴ A certificate of consent was produced within the time stated, which stipulated that compensation must be paid to the Chapter of Rochester on account of the rectory and vicarage rights.⁵ Hamo then applied to the Pope for leave to proceed in the matter. Delay ensued. Edward wrote impatiently to Hamo, who replied by giving his consent, provided the parish church was indemnified against all detriment and that episcopal rights were conserved.⁶ The King wrote for final confirmation to the Pope, but the licence given by John XXII to Edward II was found to be sufficient.⁷

In 1340 the first patent concerning the foundation was issued. Edward installed the new community in the ancient buildings of his castle. This community consisted of twenty-four sisters and six brothers, for

¹ Thorpe, *Reg. Roff.*, p. 312; Dunkin, *History of Antiquities of Dartford* (1844), p. 112; *Arch. Journ.*, XXXVI. 243; *App. No. XI*, p. 149.

² Thorpe, *Reg. Roff.*, p. 312.

³ Dunkin, *op. cit.*, p. 112; Thorpe, *Reg. Roff.*, p. 313.

⁴ *Arch. Journ.*, XXXVI. 243.

⁵ Dunkin, p. 112.

⁶ *Arch. Journ.*, *loc. cit.*; Thorpe, *Reg. Roff.*, p. 314.

⁷ Ripoll, *Bull. O.P.*, II. 353.

whose maintenance 200 marks were to be allotted annually from the exchequer, or until such time as other provision should be made for the supply of their wants.¹ The sisterhood was placed under the care of the Friars Preachers of King's Langley, who supplied the staff of six brothers mentioned above.² The whole history of the founding of the sisterhood was summed up in November 1395 by a papal confirmation "at the recent petition of the prioress and convent of the Augustinian monastery of Darteforde, living according to the institutes and under the care of the Order of Friars Preachers, in the diocese of Rochester" of—first, John XXII's licence to Edward II; second, Boniface IX's grant of privileges modelled on those of Beaumont in Valencia, and certain exemptions; and third, the founding of the house at Dartford by Edward III.³ Thus, after many hitches and delays, a house of the Dominican second order was founded in England.

The subsequent history of the house may be considered under five heads. First, the indebtedness of the sisters to the King for grants of land, labour, and privileges.⁴ Second, the connexion of the convent with such outside powers as the Pope, the Bishop, and the town. Third, its connexion with the central authorities and the other convents of its own order. Fourth, its benefactors; and fifth, some details of the daily life within the convent walls.

The convent was indebted to the King for the services of workmen appointed by him, for the care of officials also nominated by him, and for many grants of land. On December 25, 1348, Edward III issued a grant "to William Claptus, towards his expenses in the building of a new house of nuns of the Order of the Friars Preachers at Dartford, founded by the

¹ Pat. R., quoted Dunkin, pp. 112-13. ² Arch. Journ., p. 244.

³ Cal. of Pap. Letters, IV. 501.

⁴ See App. No. XII, p. 151.

King of the keeping of the lands late of Robert le Reyny, tenant in chief, during the nonage of the heir." ¹ In the following year woods were granted to this same William Claptus, for building purposes.² By December 15, 1352, the preliminary building work had been accomplished, and it was time to consider glass for the church windows. In this connexion John de Geddyng was appointed by the King "to purvey glass sufficient for the church of the house of the nuns at Dartford, founded by the King, and as many glaziers as are required for working the same, and to arrest and imprison until further order all those whom he shall find rebellious herein." ³ This is given "by the King on the information of the Confessor." The confessor at this time was John de Wooderow, a Black Friar. He would, therefore, be able to give the King inside information as to the progress of the building of the Dartford convent.⁴ The wording of the above appointment suggests that some compulsion had been and might yet be necessary, in order to complete the work. It seems that in 1361 the buildings were still unfinished, since on April 12 of that year Edward appointed Simon de Keyworth, Robert Baroun, and John Beer "to take in the county of Kent carpenters, masons, and other workmen for the King's works at Dartford priory, and bring them thither to stay at his wages during his pleasure, also to take carriage at his charges for the stone, timber, tiles, and other things necessary for the works." ⁵

Various officials were appointed by the King, from time to time, to supervise or negotiate for the Dartford convent. In 1353 John de Woode Rowe was

¹ Cal. of Patent Rolls, 1348-50, p. 222.

² Ibid., p. 271.

³ Ibid., 1530-54, p. 391; cf. p. 390 for Carpenter's work.

⁴ Arch. Journ., XXXVI. 244-5.

⁵ Cal. of Pat., 1358-61, p. 569; cf. *ibid.*, 1361-4, p. 194.

appointed to superintend the works of the friars' and sisters' house and received 40s. on January 25 for his expenses in Dartford.¹ A little later John de Northampton, also a Black Friar, received a similar commission, and on March 10 held a tally for 100s. on the Prior of Spalding in aid of the Dartford sisters.² This post of overseer was no sinecure, since grants of land made to the convent had to pass through the overseers' hands, and were often dealt with entirely at his discretion. On October 25, 1358, Guy de Seintcler, escheator in the county of Norfolk, received an order to "deliver to brother John de Woderowe, keeper of the house of the nuns of Dartford, the King's manor of Braundeston in that county which he had of the grant of Roger Bavent, knight, together with the issues thereof, to dispose of the same for the use of those nuns, as has been fully enjoined upon him."³

In 1357, on February 20, a commission was issued to William de Nessefeld and Richard de Caumbray to audit the accounts of all bailiffs and receivers of manors and lands in the King's hands, the issues of which he has granted to the prioress and sisters of the Order of the Preachers of the house at Dartford."⁴ This is interesting as showing close connexion between the English house of Dominican sisters and the King. It will be remembered that the Bull placing the sisters finally under the control of the brothers in the Dominican Order gave to the brothers the power of auditing the accounts of the sisters under their charge.⁵ The sisterhood in England, however, stood in the rather anomalous position of receiving money from lands still technically in the King's hands. Thus their

¹ Arch. Journ., XXXVI. 244.

² Exit. Scac. Mich. 28, Ed. III, m. 26, quoted Arch. Journ., XXXVI. 245.

³ Cal. of Close Rolls, p. 30, Ed. III, m. 8.

⁴ Cal. of Pat., 1354-8, p. 549; cf. p. 570.

⁵ Supra, Ch. VII.

accounts were kept very closely under royal scrutiny, and were not entirely in the hands of the brothers.

On November 29, 1358, John de Berland received an appointment as "steward and surveyor of all lands and rents in England and Wales assigned for the use of the house of new work founded by the King for the habitation of nuns of the order of Preachers at Dartford, and of all lands and rents acquired for the same, and to agree as shall be expedient with any persons touching lands and rents acquired for the house, with the assent of William, Bishop of Winchester, the Chancellor, and John Woderove, the King's confessor, taking yearly at the Exchequer 40 marks for his fee so long as he be in office; appointment of him also to audit the accounts of all bailiffs and receivers of lands and rents, with mandate to all bailiffs, receivers and tenants, free of bond, of all the lands of rents to be intendant to him in all that concerns the office of steward, surveyor and auditor."¹ This responsible position held by the King's official was a further stage of royal control over the affairs of the convent.

The Dominican sisters, as members of a cloistered order, could not appear to plead or defend their own cause in court. On November 7, 1368, therefore, we find Edward III granting "that Michael Skillyng and Walter Perle, whom Maud, prioress of the house of the Order of Preachers at Dartford, pursuant to a power granted her by the King, has appointed as her attorneys before him, may make other attorneys at their will. Brother John Woderove received the attorneys by writ."² Many similar privileges were granted to the same Maud, and on November 27, 1377, Richard II granted licence to "Joan, prioress of the house of the Order of Preachers at Dartford, of the

¹ Cal. of Pat., 1358-61, p. 125; cf. *ibid.*, 1361-4, p. 494.

² *Ibid.*, 1367-70, p. 161; cf. p. 357, etc., and p. 48, Ed. III.

foundation of the late King, to make her own general attorneys, and she having appointed brother Walter Durant and Nicholas Hereyng her attorneys, they at her instance may make attorneys for her for two years." ¹ Similar grants were made to the prioress during the years 1379-88.

It would be tedious as well as unnecessary to set out in full all the grants by the King of land to Dartford. The list in Tanner's *Notitia Monastica* is tolerably complete, and further notices may be found in Dunkin's *Dartford* and in Father Palmer's article on the Dartford convent in the *Archæological Journal*. It remains to note various points in connexion with these grants. It seems that, at the very beginning, there was some friction owing to the fact that "some who died in the last pestilence, out of affection for the house and to save their souls, granted land and goods to certain men for the use of the same house." Now, whereas a very large number of such lands, because they were alienated contrary to the will and intention of the donors, were seized into the King's hands by the escheator of the King's chamber, and afterwards were taken out of his hands by others and occupied, and so these lands as well as other lands conferred on the house, are detained from the same house, which is under the King's rule and in his ordinance.² Therefore, on March 18, 1352, Edward empowered William de Thorpe and William de Carleton to enquire concerning the "trespasses and contempts," and to settle the matter to the best advantage.

In 1355 William de Keynes was appointed by the King keeper of all the lands of Roger Bavent which the latter "held for life of the King's grant, and which have come into the King's hands by his death," so that these lands may be used on behalf of the Dart-

¹ Cal. of Pat., 1 Rich. II, pt. 2, m. 19 (p. 2, m. 5, etc.).

² Ibid., 1350-4, p. 280.

ford Sisterhood.¹ These lands of Roger Bavent were the subject of many subsequent grants by the King to Dartford.²

A special mark of royal favour was the licence, granted December 3, 1356, "for the prioress and sisters of the house of the Order of Preachers, Dartford, of the King's foundation, to acquire in mortmain £300 yearly of land and rent and advowsons of churches with the taxation of £300 yearly, whether held of the king in chief or of others, and to appropriate those churches, to wit for the sustenance of the prioress and thirty-nine sisters in the house and for other things necessary for the house as well as for the sustenance of the prior and fifty-nine friars of the Order, dwelling in the king's manor of Childrelangele and their successors."³

On December 12, 1371, Maud, prioress of Dartford, and the convent, surrendered various lands to the King, and received back from him seisin of the same.⁴ In the following year, by a lengthy charter, Edward recited and confirmed the foundation and subsequent endowment of the convent.⁵ Many later confirmations were made,⁶ and the King added little by little to the land held locally in Dartford by the convent.⁷ In the eighth year of his reign Richard II gave to Dartford "certain lands in Norfolk, for the support of a chaplain, to perform divine offices daily in the infirmary chapel at Dartford, then lately built, for the

¹ Ibid., 1354-8, p. 248.

² Ibid., pp. 423-4, 521-98; 1358-61, pp. 126, 240.

³ Cal. of Pat., 1354-8, p. 486. For other grants at this time see Cal. of Pat., 1354-8, pp. 466, 588, 633; 1358-61, pp. 62, 99, a direct money-grant.

⁴ Ibid., 45 Ed. III, pt. 2, m. 6.

⁵ Cart. 46 Ed. III, No. 2, Pat. 46 Ed. III, p. 7, m. 8; Dunkin, *History and Antiquities of Dartford*.

⁶ Cal. of Charter Rolls, V. 3 R. II, m. 1, p. 269; cf. pp. 393 and 458.

⁷ Cf. Dunkin, *Dartford*, pp. 120-2.

benefit of the sick brothers and sisters abiding there and to pray for the souls of himself and the benefactors to the said monastery.”¹ In 1422, 1424, and 1437 it was again necessary for Henry VI to confirm all previous grants to Dartford, because the state of England was then so unsettled that conventual lands were tempting prey for the marauding barons who ravaged the country during and after the French wars.

For the history of the surrender of Dartford the reader is referred to the full account by Father Palmer in the *Archæological Journal*, pages 762-71. The sisterhood seems to have been in a more flourishing condition than some of the Dominican brothers' houses in England, for, in 1538, Joan Fane, prioress, and as many as twenty-three nuns, surrendered.² An attempt to revive the foundation under Mary was not very successful, and in 1560 the remaining sisters are mentioned as exiled in Zealand.³

The evidence for the relations of the Dartford house with the Papacy, with the secular clergy, and with the townsfolk is not extensive. During the founding of the convent papal permission was secured for nearly every contemplated step. Later papal documents bearing on the house, however, are not numerous. On November 1, 1395, Boniface IX wrote “to my beloved daughters in Christ, the Prioress and Convent of Dartford, governed by the prioress according to the Order of S. Augustine, and living according to the institution and under the care of the Friars Preachers in the diocese of Rochester—greeting and apostolic blessing.” The Bull goes on to confirm to the convent the patronage of the churches of Norton Bavent and Wittelee, in the parishes of Salisbury and Winchester respectively. The convent is to have full

¹ Hasted, *History of Kent*, I. 220. ² Dunkin, *Dartford*, p. 161.

³ *Arch. Journ.*, XXXIX. 179.

rights, notwithstanding any previous Bulls to the contrary.¹

The Patent Rolls reveal similar licences of appropriation from the King to the Dartford house. On July 5, 1373, Edward granted "in mortmain to the prioress and convent of the sisters of the Order of the Preachers of Dartford, the advowson of the church of Childernelangeley, and licence for them to appropriate the Church."² On July 11 they were licensed to appropriate the church of Norton Skydemour, which was in their advowson. On the same day a licence was also issued for the "alienation in mortmain by William de Huntyngfeld to the prioress and convent of the sisters of the Order of the Preachers, Dartford, of the advowson of the Church of Bokesworth, held in chief, and for the appropriation of the Church by the prioress and convent."³ Thus the convent came into close touch with the secular clergy, by its right of presentment to livings.

Records of the fifteenth century show that the sisters exercised this right. In 1379 Joan, the prioress, daughter of Lord Scrope, together with her convent, presented John Symonds to the chantry or chaplaincy of S. Edmund.⁴ In 1422 they presented John Blice to the same, and in 1432 Rose and her convent presented John Derby to the perpetual chantry of S. Edmund.⁵ On October 6, 1446, Margaret de Bellomont and her convent presented Thomas de Ingerdell, and on July 4, 1461, on the death of this Ingerdell, Alice Branswaite and her convent presented John Wells to the living.⁶

¹ Ripoll, Bull. O.P., p. 352; cf. Cal. of Papal Letters, IV. 517.

² Cal. of Pat., p. 324.

³ Ibid., p. 327.

⁴ Reg. William de Botlesham, Epis. Roffen., p. 142, quoted Dunkin, *op. cit.*, p. 123.

⁵ Act. Cur. Consist., f. 95, p. 206, quoted Dunkin, *op. cit.*

⁶ Reg. Roff., p. 314.

That presentations were sometimes made by the convent acting with the prior of the province and the brothers of King's Langley is shown by the following entry in the archiepiscopal registers of Canterbury for November 26, 1522. On that day "brother Robert Myleys, provincial of the English Order of the preaching friars, the prior of King's Langley, and Elizabeth, prioress of our Blessed Mary of S. Margaret, virgins of Dartford, and convent, present Thomas Bartlett to the Church of Elmeston on the resignation of John Parnell." ¹

The convent seems to have lived at peace with the town and country folk round. At the time of its foundation, as noted above, there was some friction between land-holders and the King concerning property given for the building of the convent. When the house was once built, however, the sisters and their brother protectors seem to have lived at peace with the outer world, as may be judged from the many bequests to the convent in the wills of lay folk. ²

The position of the Dartford convent in relation to the Dominican Order must next be considered. The outstanding points here are the dependence of the house on the King's Langley convent, and the constitutional position, in general, of the sisters.

Father Palmer asserts, without quoting his authorities, that four sisters were brought, soon after the founding of the convent, from France, probably from Poissy, and established under the care of the Friars Preachers already at Dartford. ³ A certain sister Matilda was the first prioress, and ten other women were soon added to those already there. We are on firm ground, however, in stating that, on November 19, 1356, a charter was issued as follows, concerning

¹ Reg. Wareham, Cant., f. 334; B.M. Add. MSS. 6084.

² *Infra.*

³ Arch. Journ., XXXVI. 246.

Dartford :¹ “Whereas the King has founded upon his land at Dartford a monastery of sisters of the Order of Preachers with houses, cloisters and enclosures, to be a priory and dwelling for a prioress and thirty-nine sisters to be there enclosed, to be under the rule and habit of S. Augustine and the obedience of the priory of Langeleye of the said order, and also for the said prior of Langeleye and his vicar when they shall come thither, and for the brethren of that house who shall abide in the said priory by the orders of the prior and minister to the prioress and nuns in divine services ; and whereas the said priory has been founded by the King in honour of S. Mary and S. Margaret and for the health of the King’s soul and of those of King Edward III and of Eleanor, sometime Queen of England, mother of that King ; the King has hereby given to S. Mary and S. Margaret and the said prioress and sisters the said monastery with its houses, cloisters and closes to be held from the King in frank almoign ; and has also given to the prioress and sisters £100 receivable yearly at the Exchequer at Easter and Michaelmas in equal portions, until the King or his heirs shall provide them with £100 of land or rent in suitable places. And the said prioress and sisters and the prior of Langeleye and the fifty-nine brethren of the order residing at Langeleye shall be maintained in victual, clothing and all other necessities out of the said £100 and all lands, tenements and rents which may be given by the King or others and from the fruits of any churches which they may have licence to impropriate, according to the direction and ordinances of the prior of Langley.”

Further details as to the numbers and maintenance of the brother protectors of Dartford are given in the Patent Rolls for April 3, 1377 : “Whereas the King lately ordained that, beyond the number of twenty

¹ Cal. of Char. Rolls, V. 152-3.

friars of the Order of Friars Preachers, dwelling within the manor of Childernlangele, twenty other friars chaplains of that order should dwell there to celebrate divine service for the souls of the King's progenitors, the King and the King's heirs, he has now granted to the prior and convent of the said Friars Preachers 200 marks yearly at the Exchequer for the sustenance and vesture of the said twenty friars, as he granted them a like sum for the first twenty until he shall have granted in mortmain to the prioress and sisters of the house of the Order of Sisters Preachers, Dartford, 200 marks yearly of land, rents or benefices to pay the said sum to the prior and convent."¹

In 1396 the principal brother-protector at Dartford was John Gill. That he played a somewhat prominent rôle apart from his protectorial duties is shown by the fact that his name appears, in conjunction with Robert Grape, vicar of Dartford, and others, as one of the commissioners appointed by the Bishop of Rochester to receive the resignation of John Standon, the chaplain of S. Mary Stampit, and appoint his successor.²

The exact relation between King's Langley and Dartford in regard to the holding of property is set forth in the following Patent Roll entry of April 24, 1399: "Grant and confirmation in frank almoin, at the supplication of the prior and Friars Preachers of Chilternlangele, who are precluded by the rule of their order from acquiring lands or tenements in perpetuity, like other religious, and in consideration of the late King's purpose, as appears by letters patent dated at Havering atte Boure, October, 50 Edward III, recited with others, and of the demise by the said King's executors to the said prior and convent of the hereinafter named manors for the term of forty years from Easter in the fifth year—to the prioress and convent

¹ Cal. of Pat. Rolls, p. 447.

² Reg. Botelsham, f. 90, quoted Dunkin, op. cit.

of Dartford of the manors of . . . (names with exemptions from fees, etc.) . . . on condition that they and their successors permit the said prior and convent of Friars Preachers and their successors to receive the issues, revenues and profits yearly arising from the premises, to the use of the said prior and convent of Chilternlangele for ever, in accord with the will of Edward III.”¹

Thus the Dartford convent was feoffee to uses of property for the King's Langley house. By the decree of poverty, passed by the Bologna General Chapter of 1221, the Dominican Order vowed itself to corporate as well as personal poverty. In the case of the Dominican second order, however, this decree had to be modified, since the sisters, being cloistered, could not beg their living, and therefore must be endowed. The able mind of Edward III seized on this point, and argued that a little more endowment than was necessary for their own maintenance would not therefore prejudice the sisters, but might be of great help to the brothers, if the surplus endowment could be definitely set aside for them.

Evidence as to the general position and powers of the sisters is not extensive. The Patent Rolls contain two early references to the allowances made to the Dartford sisters. On July 14, 1358, occurs the following: “Grant to the prioress and sisters of the house of the Order of Preachers of Dartford, founded by the King for the sustenance of 14 sisters and 6 friars *and their servants*, of 200 marks at the Exchequer yearly, to wit, 10 marks for each sister and friar, to be taken by the prioress and sisters for ever, or until the King otherwise ordains.”² In the same year also occurs “a grant, for the sincere affection which the

¹ Cal. of Pat., 22 R. II, p. 3, m. 15; cf. Cal. of Close, 31 Henry VI, p. 2, m. 25.

² Ibid., 1358-61, p. 87.

King has for the present prioress and the three sisters who first came with her from beyond seas to England, to dwell in the said house, of 20 marks beyond the portion which pertains to them of the 200 marks granted in the preceding letters, to wit to each of them 5 marks yearly, to be taken at the Exchequer as a gift from the King.”¹

In July 1418 it became necessary for the Pope to issue a Bull, *Ut Moniales monasterii de Dartford Ordinis Praedicatorum, eiusdem Ordinis Generali Magistro, ceterisque Praepositis morem gerant.*² In the course of this Bull, which opens by sketching the foundation of Dartford, the Pope lays special stress on the fact that the convent was from the beginning placed under the control of the brothers at King’s Langley, and orders that the sisters at Dartford shall still live under the care of the King’s Langley brothers and observe the rule and institutions followed by the brothers. The latter are to have the support of the revenues accruing to Dartford from the lands and livings belonging to the convent, and the sisters are to be in all things obedient to the prior and brothers of King’s Langley. The prior of King’s Langley had appealed to the Pope on the matter, and this Bull is to confirm the sisters in obedience to the brothers. Other evidence of a similar nature is lacking, and from this point the only source is the Master-Generals’ Registers, which do not deal with the English Province until 1474.

These entries in the Masters’ Registers deal rather with specific points and privileges than with the general constitutional position of the sisters. They give, however, some idea of the kind of life led by the Dominican nuns. On November 23, 1392, Sister Marjorie Chastloyn of Dartford, and her associate,

¹ Cal. of Pat., 1352-61, p. 87.

² Ripoll, Bull. O.P., II. 548; and see Appendix XIII, p. 154.

were given the right to choose their own confessor, who might absolve them from all sins.¹ This concession is similar to many given to the Dominican brothers, and shows the trust placed in the order by the Pope.

That age and ill-health were taken into account, even in the strictness of the cloister, is shown by the following entry for June 27, 1474: "Sister Beatrice, prioress of the convent of Dartford, has licence to use linen on account of ill-health and age and can dispose of the goods given her by the Order, and receive alms, anything to the contrary notwithstanding, and without contradiction by inferiors."²

On June 19, 1481, four points of importance were conceded to Dartford. First, Sister Anna Barn, prioress, could choose the confessor for the convent, and this confessor could not then be forced to accept a priorship. This ensured the sisters the undivided attention of their confessor. Second, a president may be given them by the provincial, with their consent. This is a little obscure, but may mean that one of the resident brother protectors, or an outsider appointed to the position, may be given special presidential authority over the sisters' affairs. Third, the subprioress may be deposed or suspended, notwithstanding any other authority. This probably is an effort to ensure the convent control over its own officials, as against interference by the provincial prior or chapter. Fourth, servants and workmen may enter the monastery without detriment of fame or honour.³

A sudden light is thrown on the educational activities in Dartford by the following entry in the Master's Register for 1481: "Sister Joan Fitzhever, who is noble and generous, may have a preceptor in grammar

¹ B.M. Add. MSS. 32446, f. 3 (old no. 5).

² Ibid., f. 9 (old no. 17).

³ Ibid., f. 11; cf. Arch. Journ., XXXIX. 177.

and the Latin tongue and he may enter the common locutorium. Also she and other gentlewomen may be called to learn.”¹ Similarly, in 1527 concession is made to Sister Elizabeth Cressner “that she may receive . . . young ladies and give them a suitable training, *according to the mode heretofore pursued.*”²

Licence to speak at the grill with friends was given on May 11, 1500, to Sister Giana of Dartford.³

At the beginning of the sixteenth century recruiting campaigns became necessary for the monasteries. Persons were encouraged to enter convents, to such an extent that many undesirables must have gained admission. This is borne out by the following entry for June 8, 1503: “The nuns of England may not retain secular women within their monastery; and the provincial may bind them to this order by all means.”⁴ In 1527, however, licence was given to Elizabeth Cressner “that she may receive any well-born matrons, widows of good repute, to dwell perpetually in the monastery, with or without the habit, according to the custom of the monastery.”⁵

Like other nunneries, the Dartford house found itself short of members at this time, and, after another ten years had elapsed, was as ready as the other religious houses to be dissolved. Accounts of the pensions paid to the nuns found at Dartford at the suppression are given in Willis’s *Mitred Abbeys*, book ii, pp. 13 and 98, in Hasted’s *Kent*, vol. i, p. 1220, and more fully in *Archæologia Cantiana*, pp. 55–7. From this last we learn that the prioress and brother protectors were paid annuities, while the prioress, again, and the sisters, received sums down, varying in value.

For the names and gifts of benefactors to Dartford,

¹ Arch. Journ., XXXIX. 178. Taken from Masters’ Reg. by C. F. R. Palmer.

² Arch. Journ., XXXIX. 178. ³ Ibid. ⁴ Ibid. ⁵ Ibid.

other than the King, the reader is referred to Dunkin, *History and Antiquities of Dartford*, pp. 113-15, 125-30, *Archæological Journal*, XXXVI, pp. 246-57, and Tanner, *Notitia Monastica*. The lists are long, for in the Middle Ages, as later in history, royalty's name at the head of a subscription list added considerably to the number of subsequent names on that list.

It is impossible to obtain any detailed account of the daily life within the Dartford walls, from the available evidence. Certain side-lights are cast on it by entries in the Charter, Patent, and Close Rolls and elsewhere, and, from these slight indications, the imaginative may construct their picture, or the cautious refrain from judgment. That the sisters drank wine is evident from the following entry for September 1 in the Patent Rolls of 1357: "Grant to the prioress and sisters of the house of the Order of the Preachers of Dartford, of the King's foundation, of 4 tuns of wine yearly in the port of London of the King's wine, as well as of the wines of his heirs, to wit one tun at Christmas, Easter, midsummer, and Michaelmas."¹

The privileges granted to the Dartford house by Edward III on August 12, 1372, by charter,² shed a little more light on the question, but in a rather negative way, since the charter is more concerned with the exemption of the sisters from fines, tallages, aids, and the ministrations of such officials as stewards and marshals of the King, than with the actions of the sisters from day to day.

An entry for September 3, 1384, in the Patent Rolls shows that the sisters had an infirmary and chapel, wherein daily mass was to be said. Mortmain grants are made to the convent, all which premises are "hereby granted to the said prioress and convent for finding a chaplain to celebrate divine service daily

¹ Cal. of Pat., 1354-8, p. 607.

² Cal. of Charter Rolls, V. 225-7.

in a chapel newly built in the infirmary of their monastery, to support their infirm sisters. . . ."¹

That the sisters had private property in books is shown from the existence of a book in small folio, written on vellum, which once belonged to Lady Alice Branswaite, and was probably preserved in the conventual library. The volume is now among the Harleian MSS., No. 2254, at the British Museum.²

An important piece of evidence as to the actual amount of the Dartford possessions is the Rental taken in 1508 by examination of all the farmers and other tenants, of the lands and tenements of the Lady Elizabeth Cressener, prioress of S. Mary and S. Margaret, Virgins, of Dartford. It may be inspected among the Arundel MSS., No. 61, at the British Museum, or in translation in Dunkin's *History and Antiquities of Dartford*, pp. 138-43. The same work gives a good account of the conventual buildings, pp. 168-71.

Thus, just at the point where interest awakens in the more intimate details of the daily life within the Dartford Convent, the evidence becomes most unsatisfactory. The one English house of Dominican sisters remains veiled in obscurity; indeed, so thick is the veil that Quétif and Echard assume there is nothing behind it, and state that no house of the Dominican second order ever existed in England. The above account, however inadequate, may serve to contradict this error.

¹ Cal. of Pat., 8 Rich. II, fol. 1, m. 25.

² See note to Dunkin, op. cit., p. 128.

APPENDIX

EXTRACTS FROM CERTAIN ORIGINAL AUTHORITIES ALLUDED TO OR BRIEFLY NOTED IN THE TEXT

I.—ARRIVAL OF THE BLACK FRIARS IN ENGLAND

(From Mamachi, *Annalium Ord. Praed.* lib. ii, pp. 647–9)

1221. Quum Gilbertus Fraximentus provinciam Angliae, ut docuimus, patrum auctoritate obtenuisset cum sociis duodecim, Petroque de Rupibus episcipo Vintoniensem, quam celerrime potuit, Bononia profectus, Cantuariam nobilissimam Anglorum urbem Julio circiter mense pervenit. Stephanus Langentonus eius tunc civitatis episcopatu potiebatur. Is de adventu Praedicatorum certior factus, incredibile eos humanitate, benevolentiaque complexus est, Gilbertoque persuasit ut ipsius loco, quamcunque vellet, de Christi Evangelio eo die orationem ad populum haberet. Ea oratione, quae gravis elegans, plenaque optimarum sententiarum fuit, intellecta, Stephanus Gilberto maximas gratias egit, illumque, ac socius se, quibuscunque rebus posset, juvaturum promisit. Paucis omnino diebus Cantuariae commorati nostri, IV nonas Augusti Londinum, ac XVIII kalendas Septembris Oxonium, cuius nobis academia maxime in celebritate erat, venerunt. Qua in urbe etsi universis civibus, iisque imprimis, qui doctrina, virtutisque laude florerent, grati acceptique esse studebunt, sibi tamen pietate istaeque innocentia maiorem in modum canonicos Osnigemenses, Frideswidensesque devinxerunt. Interim cum incolas bene esse in se animatos cognoscent intellexissentque, Judaeos in S. Eduardi paroccia degere quibus se doctrina orationeque persuasuros confiterentur, eo in loco coenobium (praesertim Isabellae Bulbeckiae uxoris Roberti comitis Oxoniensis, Walteri Mauclerici episcopi Carleolensium qui post dignitate se abdicavit, Ordinemque est amplexus Praedicatorum canonicorumque Frideswidensium bene-

ficio) construxerunt, templumque Deo in honorem B. Mariae Virginis in caelum assumptae cuius festo die Oxonium pervenerant, dedicarunt. Sed Frideswidenses canonici, quis Aldati parocciam cuius in ditione fundus erat, moderabantur, certis conditionibus, quas deinde Gregorius IX Pont. Max. probavit, transigendum cum nostris exisimarunt ne si quae forte exortaelites, dissensionesque fuissent, coenobium deserere cogerentur.

II.—EXTRACT FROM THE REGISTER OF RAYMUND, MASTER-GENERAL OF THE DOMINICAN ORDER, WITH REFERENCE TO A PROVINCIAL CHAPTER HELD AT LINCOLN

(Quoted Mortier, *Histoire des Maîtres Généraux des Frères Prêcheurs*, vol. iii, p. 655)

Nota quod statutum editum Lincolniae de verbo ad verbum sic se habet Anno Domini 1388, in capitulo provinciale Lincolniae celebrato per Reverendum patrem Priorem Provinciale et quatuor Definidores eiusdem capituli et omnes Magistros, et Bacchalarios etiam praesentes, ad pacem et unitatem Provinciae statutum; ordinatum et decretum est quod subscripti articuli in provincia Angliae perpetuis temporibus observentur. Primo, quod nullus exponetur ad gradum Magisterii in Universitatibus Oxoniae et Canthabrigiae post predictum Capitulum ante duos annos immediate ante duos annos suam ordinationem ordinarium praecedentem. Secundo quod nullus promoveatur per litteras procurandas nec aliquis faveat illi pro quo litterae huiusmodi fuerunt procuratae. Tertio quod nullus transeat concursorie seu in loco alterius existenti vel Yberniam ad gradum scholastiam in aliqua Universitatum dictarum. Quarto quod de caetero nullus habilitetur ad Magisterium per predictis nisi ad observandum supradictos articulos corporale praestitit iuramentum, ad quorum articulorum observantiam praedictus reverendus pater Prior provincialis, Definidores ac omnes Magistri et Bacchalarii etiam praesentes corporale praestabunt iuramentum. Ista est forma iuramenti. Tu jurabis quod aliquis exponatur ad gradum Magisterii post istud praesens Capitulum ante biennium suae oppositionis. Item tu jurabis quod nunquam assenties,

quod aliquis promoveantur per litteras quas se procuraverit nec huiusmodi procuranti nec illi Fratri, pro quo huiusmodi litterae fuerunt procuratae, favebis, quovis modo in hac parte. Item tu jurabis quod nunquam assenties, quod aliquis habilitetur nisi idem praestiterit iuramentum. Item tu jurabis quod non vendicabis libertates Bacchalariorum ante biennium oppositionis tuae, nec procurabis tibi nec alteri dispensationem istius iuramenti, nec valebit gratia huiusmodi procurata, nec impedies aliquem expositum a loco sibi per Provinciale capitulum assignatum. Item tu jurabis quod nunquam assenties quod aliquis transeat concursorie in Oxoniensi vel Canthabrigiensi in loco alicuius extranei, vel Yberniam sive Scotiam ibidem. Notandum quod in capitulo provinciali praeterito, assignaverunt VIII Fratres ad legendum sententias successive Oxoniae et Canthabrigiae et eisdem substituerunt VI fratres; et cum secundum statuta Universitatum praedictarum oporteat, quod quilibet ibidem lecturus sententias, opponat per annum integrum ordinarie, et una cum hoc sunt alii tam intranei quam unus extraneus assignati; qui adhuc suas oppositiones ordinarias non perfecit, videtur quod in hac ordinatione fecerit tam contra Acta Capituli Generalis quam contra proprium iuramentum; Actum Capituli Generalis in quadam litteras sub sigillo Vicarii Ordinis Hugolini lectum in capitulo provinciali Cyprik sequitur, et est tale; volunt Diffinitores una mecum; quod ad legendum sententias de caetero in Universitatibus Oxoniae et Cantabrigiae ante biennium suae ordinariae oppositionis neminem assignent, nec aliquem legere seu opponere concursorie, et pro forma in Universitatibus praedictis permittant.

III.—THE BULL “INTER RELIGIONES”

(From Ripoll, *Bull. Ord. Praed.*, vol. ii, pp. 328, 329. Ut Angliae Provincia Fratrum Praedicatorum sicut ceterae generali Magistro morem gerat.

Ex Arch. Ordinis.

Bonifatius Episcopus, Servus Servorum Dei. Ad futuram rei Memoriam.)

Inter Religiones alias quas celestes Agricola sua benignitate in horto plantavit Ecclesie, ad Ordinem Fratrum

Predicatorum sincerum gerentes affectum ad ea libenter intendimus, per que ipsorum fratrum et Professorum dicte Ordinis, quiete consulamus, et sub moveamus obstacuta, per que obediente bono detrahitur, et ipsorum Fratrum Religio naufragatur, potissime ; ut quietius Fratres ipsi in vocatione, qua vocati sunt, animas Deo lucrifaciant, et bravium propter quod certatim currunt in stadio consequi mereantur. Sane nuper quorundam fide dignorum relatione, non absque mentis perturbatione, cognovimus quod Fratres Ordinis Praedicatorum in Provincia Anglie juxta morem dicti Ordinis constituti, non advertentes quod capiti obsequi membra teneantur quodque ad persistentiam totius partium integritas requiratur tam pretextu cuiusdam olim quam quidam ex ipsis pretendunt fore per bone mem. Nicolaum tit. S. Ciriaci Presbyterum Cardinalem ex commissione et delegatione fel. rec. Urbani P.P. VI Predecessoris nostri approbatam, quam etiam quarundam aliarum ordinationum, seu formarum in eorum Provincialibus Capitulis postea de facto editarum que utique in Romani Pontificis qui caput et moderator est Religionarum omnium et eius auctoritatis et potestatis quas in et super ipsum ordinem et eius Professores habet, et etiam contra predicti ordinis instituta, necnon Generalis Magistri pro tempore Ordinis prefati, et eius jurisdictionis diminutionem cedunt, et institutis eisdem obviant evidenter, se ab obedientia Sedis Apostolice et Generalis Magistri predicti Ordinis pro tempore existentis, quodammodo subtraxerunt, et subtrahunt ita quod ab aliis Professoribus dicti Ordinis existentibus, in aliis Provinciis quoad regularem observantiam, seu obedientiam dicti Ordinis separati videntur et exinde in eorum Ordine scandala et inconvenientia plurima sunt secuta et exoriri peiora verisimiliter presumuntur quotidie nisi sollicitudo nostra apposite provideat in premissis. Nos igitur, attendentes, quod ipsos Fratres quos catholice fidei foveat integritas decet uniformiter vivere juxta instituta predicta et ut inter eos nullius varietatis involucrum vendicet sibi locum, necnon hinc morbo nos tempore suo ne putrefactus demum fomenta medicine respuat obviare, ac, ne ipsi Fratres predictae Provincie de cetero discrepare videantur a capite salubriter providere volentur, ex certa scientia, omnes huiusmodi et quascunque alias ordina-

tiones, formas, et statuta per eosdem Fratres dicte Provincie in Capitulis huiusmodi seu alias qualitercunque hactenus edita, etiam juramento seu predictis, aut quibuscunque Apostolicis confirmationibus, sive privilegiis vel indultes, seu firmitatibus aliis qualitercunque vallata que omnia presentibus haberi volumus pro expressis . . . et in super auctoritate Apostolica statuimus et etiam ordinamus, quod ipsi Fratres Provincie predicte sub excommunicationis pena, quam alias ipsos ex eis qui contrafecerint in hac parte incurrere volumus eo ipso in omnibus et per omnia ipsi Magistro pro tempore existenti subesse, ipsius mandatis ordinationibus et monitionibus juxta instituta predicta, necnon literis tam justitie quam gratie per eum concessis et concedendis quibuslibet Fratribus dicte Provincie pro tempore aut assignationum sive promotionum vel quarumcunque concessionum juxta morem predictum obedire et obtemperare necnon institutis et observantiis huiusmodi se conformare, eaque observare absque contradictione, et diminutione qualibet debeant ad instar aliorum Fratrum Ordinis predicti, extra provinciam Anglie commorantium juxta morem antedictum. Nos enim ex nunc irritum decernimus et inane, si secus super his a quocunque quavis auctoritate, scienter, vel ignoranter contigerit attentari. Nulli ergo omnino hominum liceat hanc paginam nostre revocationis constitutionis statuti, ordinationis, et voluntatis infringere, etc.

IV.—THE LETTER OF RAYMUND, MASTER-GENERAL OF THE ORDER, CONCERNING ENGLAND

(Being an extract from Register IV (i) fol. 196 (v°) of the Master-Generals' Registers, and quoted Mortier, *Histoire des Maîtres Généraux des Frères Prêcheurs*, vol. iii, 663, 664)

In Dei Filio sibi Karissimo fratri Wilhelmo de Baketorp vicario generali Fratrum Ordinis Praedicatorum Provinciae Angliae Sacrae Theologiae venerabili Professore Prioribus ac Praesidentibus caeterisque fratribus, omnibus et singulis cuiuscunque gradus aut conditionis existant conventuum Ordinis et Provinciae Praedicatorum Frater Raymundo eiusdem Ordinis humilis Magister et Servus, Salutem et Christi Domini efficacem imitationem.

Cum ad officium sive regionem superiorum praelatorum seu Patrum pertinere noscatur suorum filiorum ac subditorum corda in pacis vinculo connectere, et si et de quanto per sinistras informationes quae aut paci imitati subditorum contraria sint concessa cum deliberatione natura et consilio seniorum quamcitius mitigare ; id circo quia reverendus pater frater Wilhelmus de Baketorp sacrae Theologiae Magister vestrae provinciae Angliae Vicarius Generalis per me legitime institutus inscriptis me veraciter informat quod quasdam licet minus vera, in Provincia Angliae de me sint ventilata gravamina et puncta promulgata non solum Fratribus nostri Ordinis in Provincia memorata, verum etiam inclitissimo Principi ac Domino meo Domino divina favente gratia Regnorum Angliae et Franciae illustrissimo Regi, Ordinis fratrum Praedicatorum inter omnes Mundi Principes singularissimo dilectori, Protrectori pariter ac Defensori ; ac aliis tam Praelatis quam Dominis nec non communibus tam de clero quam de Vulgo dicti Regni, quae ego in eadem Provincia sub magnis Ordinis censuris et poenis fieri demandassem ad suggestiones et procuraciones fratrum vitiosorem dicti Ordinis et Provinciae Praedicatorum et earum occasione subitas mutationes, quas odit natura ac graves impositiones, novas insolitus nec non alias oppressiones importabiles, quas odit justitia, Coronae Domini Regis Angliae, ac Ligeis suis in provincia Angliae praejudicialia et dampnosa in contemptum Regiae Majestatis, suae Coronae praejudicium ac populi dicti Regni, et praesertim fratrum Ordinis Praedicatorum dicti Regni, commotionem et perturbationem, pacis Regiae laesionem, ac Ordinis praedicti in Anglia desolationem, in scandalum manifestum nec non in aliorum Religiosorum perniciosum exemplum, ac etiam in divini cultus diminutionem subsequenter statuisssem minus juste ut puta, quod ego contra formam Provinciae vestrae exposui notabiliter inhabiles et vitioses et quod talibus concessi gratias exemptorias in diminutionem divini cultus, et obedientiae Ordinis deformationem. Item quod ego imposui Provinciae vestrae onera importabilia, ut puta sub ventionem extraneorum in vanis de contributionibus conventuum, ac etiam subventionem exemptorum ab Ordine et seclarium personarum, ac

etiam contributionem annuam pro persona mea, solutionem videlicet quinquaginta Marcharum, ultra quas habeo ut dicitur de bonis fratris Wilhelmi Holbeck Magistri in Romana Curia defuncti, et his non obstantibus per censuras vos cogo ad solutionem praemissarum. Item quod concessi Cameras et ortos ad usum Communis Librariae cuiusdam Conventus uni fratri singulari, et alia quamplura quae longa pagina non teneret quae omnia et singula praesentibus habere volo pro insertis; verum quia praefatus reverendus Pater frater Wilhelmus de Baketorp Vicarius vestrae Provinciae ante dictus cum maximis informationibus et requisitionibus debitis me pulsavit; quatenus si praemissa vera forent, aut veritate tacita falso suggesta vestram Provinciam quamcitius possem, plenius informarem et illa miche sic imposita de quanto vera saniori consilio mitigarem vel simpliciter salvo semper honore Sanctae Romanae Ecclesiae, Magistro Ordinis et obedientia michi praestita revocarem, vel ex adverso meam super objectis innocentiam pro consolatione et quieta Fratrum vestras Provinciae declararem.

V.—AGREEMENT BETWEEN THE FRIARS PREACHERS OF NORWICH AND DUNWICH DETERMINING THE BOUNDARIES OF THEIR RESPECTIVE CONVENTS

(Quoted by Kirkpatrick in his *History of the Religious Houses of Norwich*, pp. 7, 8)

Ex autographs in Guildhall Norvici inter cartas Fratrum Praedicatorum.

Memorandum that in the year 1259 on the 4th of the Ides of January the friars of Norwich and Dunwich met together at Herringfleet in the house of the Canons of St. Olave (namely such of them as were elected by their convents "ad limitandum") to settle the limits of the aforesaid convents whose names were these: on the part of the Convent of Norwich, Friar Robert der Hecham, Friar Robert de Bristune; on the part of the Convent of Dunwich, Friar Geffry de Walsingham, Friar William of Saint Martin, which said friars treated about making the limitation, but whereas they could not come to an agree-

ment there was also present Friar William de Nottingham at that time the Lector of Norwich, upon whom the said limiters had unanimously pitched, that to which part he should consent the same (namely their proposal) according to the acts of the Chapter of Gloucester held in the year 1257, should stand in force. And when the said Friar William de Nottingham had diligently considered the reasons of each party he gave his assent to the party of the Dunwich deputies: namely that the river which divides Norfolk from Suffolk should divide the limitation of the Norwich friars from the limitation of the Dunwich friars as it hitherto has divided. But that, nevertheless, the friars of Dunwich should have the parishes of Mendham and of Ressewde, as well in Norfolk as in Suffolk, both in spirituals and temporals. In testimony of which thing, for perpetual memory, the prior and convent of Dunwich have caused this present writing to be confirmed by their conventual seal.

VI.—EXAMPLE OF A LETTER OF CONFRATERNITY

(Quoted by Kirkpatrick in his *History of the Religious Houses of Norwich*, p. 37)

To the devout, and our beloved in Christ John Bery, and Margery, his wife, and Margaret, her mother, Friar Robert Felmyngnam, humble Professor of Divinity and Prior Provincial of the Order of the Friars Preachers of England, sends health and continual increase of celestial graces. The affection of your devotion, which you have to our Order requiring it, I grant you a special participation, as well in life as in death, by the tenor of (these) presents, of all the masses, prayers, preachings, fasts, abstinences, watchings, labours, and all other good things which by the brethren and the sisters of our Order, the Lord hath granted to be done throughout the whole province of England. And I will, moreover, and order that, after your decease, your souls shall be recommended to the brethren and sisters of the whole province in our provincial chapter if we shall be there acquainted with it. And masses and prayers shall be enjoined for them, as has been the custom for our brethren and sisters deceased.

In testimony of which thing the seal of my office is appended to (these) presents.

Date at Norwich MCCCCVII. From William Bryggs
—Prior.

VII.—EXTRACTS FROM WYCLIFFE'S "TREATISE AGAINST
THE ORDERS OF FRIARS"

Wycliffe asserts that the friars claim that their orders are more perfect than Christ's, "for they say that each Bishop and Priest maie lawfully leave there first dignitie, and after be a Friar; but when he is once a Friar, hee maie in no manner leave that, and live as Bishop or Priest by the forme of the Gospel."

The friars take from the poor people "and have overmuch riches, both in great vast houses and pretious clothes, in great feasts and many jewels and treasure. . . ."

"For if a Frier leave his bodily habit to the which hee is not bound by God's law, he is holden Apostate, and sharplie pursued; sometime to prison, and sometime to the death, though he serve better God without his habit then therein; but though he trespasse against charitie by impatiency, and false leasings, or pride, or coveteousness, it is little or naught charged, but rather praised, if it bring them worldly mucke.

"For they shewen more holines in bodily habit and other signes then did Christ and his Apostles, and for their singular habit or holynes, they presume to be even with Prelates and Lords, and more worthie then other clarks, and in covetise they can never make an end, but by begging, by greething, by burying, by salaries, and rentals, and by shriving, by absolutions and other false means crien ever after worldly goods, where Christ used none of al these, and thus for this stinking covetise they worshippen the Fiend as there God.

"Friars drawn to them confession and burying of rich men by maine subtil meanes, and Massepence, and Trentals, but they will not come to poore mens dirige, ne receive them to be buried amongst them.

"Also Fryars shewen not to the people there great sinnes stably as God bids, and namelie to mightie men of

the world but flatteren them, and glozen and nourishen them in sinne.

"Also Friars by letters of Fraternitie deceiven the people in faith, robben them of temporal goods and make the people to trust more in dead parchment sealed with leasing and in vaine praiers of Hypocrits, that in case beene damned Divels, then in the help of God and in there owne good living."

VIII.—CHARTER OF THE NORWICH DOMINICANS TO OLD FRERES YARD

(Quoted by Kirkpatrick in *History of the Religious Houses of Norwich*, pp. 18-20)

Richard, by the grace of God, King of England and France, and lord of Ireland, to all to whom these present letters shall come, greeting. We have inspected a certain inquisition by our command made before William Berard, our escheator in the county of Norfolk, Henry Skye, one of the bailiffs of our city of Norwich, and returned into our chancery in these words: "An inquisition taken at Norwich in the county of Norfolk, before William Berard, escheator of our lord the King in the said county, Bartholomew Appelyard, citizen of Norwich, and Henry Skye, one of the bailiffs of the city of Norwich on the Friday next after the Feast of S. Michael the Archangel, in the fourth year of the reign of King Richard II after the conquest by virtue of a certain writ of our lord the King to the same escheator Bartholomew and the bailiff directed and sworn to this inquisition by the oath of John de Welles, Roger Parker, Nicholas de Eggefeld, John de Beccles, John de Hangbele, Thomas Markaunt, John Palmere, William de Lyng, Bartholomew Busshop, Walter de Lakynghithe, Roberte atte Dam, and John Betteson, jurors; who say upon their oath that the Prior and Friars of the Order of Friars Preachers of Norwich have not purchased to themselves or to their successors, after the publication of the statute made against putting lands and tenements to mortmain, one gardine, or certain place of land, now called the Olde Freres Yarde, with its appurtenances, in the city aforesaid, situated near the street called

Colegate, on the part of the South, together with a certain passage or lane there mentioned in the writ, which extends itself from the said garden or place towards the house of the same friars unto the river, in the city aforesaid, namely between the tenements of William Gerard and Simon de Almaigne. But they say that one Thomas de Gelham, chivaler, Maud, Unena and Christiana, daughters of Herman de Totyngton, and other persons unknown, have given and granted to the Prior and Friars Preachers of the aforesaid city the said garden or place of land aforesaid, before the statute for not putting the lands and tenements to mortmain was made, namely, on the Tuesday next after Palm Sunday, in the thirty-eighth year of the reign of King Henry, the son of King John, to have and to hold to the same prior and friars in pure and perpetual alms for ever. . . . And they say that one Richard de Norwich, chivaler, gave and by his charter granted to the said prior and friars the above-said passage in the city aforesaid, which extends itself from the above-said place towards the house of the same friars unto the river in the city aforesaid before the said statute was published, namely in the fortieth year of the above-said King Henry, to have and to hold to the same prior and friars for ever in pure and perpetual alms. In testimony whereof to this inquisition the above-said jurors have put their seals. Dated the year day and place aforesaid." We therefore, at the request of Friar Robert de Fretone, now Prior of the house of the Order of Friars Preachers in the city aforesaid, have thought fit to exemplify the tenor of the said inquisition by these presents. In testimony of which thing we have caused these letters patent to be made. Witness myself at Westminster, the 21st day of November in the 4th year of our reign.

IX.—GRANT TO THE NORWICH DOMINICANS OF THE HOUSE OF THE FRIARS OF THE SACK

(Quoted by Kirkpatrick in *History of the Religious Houses of Norwich*, pp. 21-4)

(i) Edward by the grace of God King of England, lord of Ireland and Duke of Aquitaine, to all to whom these

present letters shall come, greeting: Whereas we have been informed by the inquisition which we have caused to be made by our bailiffs of Norwich that, without doing injury or prejudice to any person, we may give and grant to our beloved in Christ the Prior and Friars of the Order of Preachers dwelling in the said city that place which the Friars of the Order of the Penance of Jesus Christ ¹ in the same city, were wont to inhabit, to have and to hold to the same prior and friars to inhabit and dwell there for ever. Saving only that it might be prejudicial to one friar, William de Hoo of the said Order of Penance, who yet holds and inhabits the same place, and is so broken with age that he is unable to help himself. And the same place is held of us in capite by the service of one penny and one halfpenny, to be yearly paid to the farm of the said city. We, forasmuch as this place is more commodious to dwell in than the place in which the said Prior and Friars of the Order of Preachers now inhabit, as we have been informed, and being willing to do the same prior and friars a special favour, and to provide for the state of the same Friar William, have given and granted for us and our heirs, as much as in us lies, to the same Prior and Friars of the Order of Preachers the aforesaid place to have and to hold to them and their successors of us and our heirs, by the services thence due and accustomed to inhabit and dwell there for ever as aforesaid, as entirely free and quietly as the said Friars of Penance have before held the same place, without the questioning or hindrance of us or our heirs, or of any of our justices, escheators, sheriffs or other our bailiffs or ministers whatsoever. So nevertheless that the same prior and friars shall find (or provide) a reasonable maintenance for the said Friar, William de Hoo during his whole life, as is fitting for his state. In testimony of which thing we have caused these our letters patent to be made witness myself at Westminster the 28th day of October the first year of our reign.

(Pat. 1. Edward II, ps. pma.)
(Autogr. in Guildhall, Norwich.)

¹ Commonly known as the Friars of the Sack.

PAPAL CONFIRMATION OF THE GRANT TO THE NORWICH
DOMINICANS OF THE HOUSE OF THE FRIARS OF THE
SACK

(Quoted by Kirkpatrick in *History of the Religious Houses of
Norwich*, pp. 23, 24)

(ii) Friar Brother Thomas by the Divine compassion Cardinal priest of the title of St. Sabina, to our beloved in Christ the Prior and Convent of the Friars Preachers of Norwich, greeting in the Lord. Our most holy father and lord the lord Clement the fifth by the Divine providence Pope, hath lately committed to us by the oracle of his living voice, a full power of disposing or ordaining by the apostolical authority of the Church and place which sometime belonged to the Friars of the late Order of Saccites of Norwich, and of conferring or granting them, as to us should seem expedient. We, therefore . . . observing that the same Church and place which are near you on the other side would be very much for your convenience and being willing, therefore, to grant you a gracious commission for that purpose—the above-said Church and place with all their rights and appurtenances do confer and grant to you and to your Order, by the authority aforesaid, according to the tenor of these presents, and do perpetually appropriate the same to you ; willing that henceforth you may freely take and obtain and keep the tenure and possession of them and in the same to build and absolutely to apply them to your uses and conveniences, as and when you shall please. In testimony of which thing we have commanded the present letters to be made and to be confirmed by the appension of our seal. Given at Avignon in the year from the nativity of our Lord 1310, in diction the 8th on the 9th day of June in the 5th year of the Pontificate of the aforesaid Lord Pope.

(Autogr. in Guildhall.)

X.—EXTRACTS FROM J. BROMYARD'S SUMMA
PREDICANTIUM

Abstinencia

Ad primum abstinencia quaedam est generalis quae
praeservat cor a cogitationibus, os a lucutionibus, manus

ab operationibus illicitis. . . . Secundo quia est causa et signum interioris foecunditatis, scilicet sapientiae et aliarum virtutum. . . . Tertio quia est signum quod anima abstinens sit in aeternum victura.

Angelus

Angelorum quidam sunt boni et quidam mali. . . . Sicut ex superioribus patet officia angelorum distinguuntur quemamodum officia ministrorum in curiis magnorum et sicut in omni statu, et officio, in curiis regum, et principum est invenire bonos et malos, ita in omni ierarchia et ordine fuerunt boni et mali. Mali fuerunt expulsi, quorum numerus per homines salvandos restaurabitur. . . . Assumentur ergo homines ad illos ordines, quorum similitudinem hic in moribus et virtutibus, et operibus tenuerunt, ut sicut fuerunt socii in merito ita etiam in praemio.

Anima

Animarum, Primo ponenda est doctrina, quomodo cognosci potest, quid anima sit natura, vivens post corporis mortem. Secundo ostendetur qualis est in natura sua. Tertio ponendum est experimentum quo ista qualitas externis ostenditur. Quarto ostendetur unde ministrat anima boni, vel mali, quod ad Deum vel diabolum. Quintum quare corpori coniungitur. Sexto, quomodo perficitur. Septimo quomodo perditur. Octavo perditionis admiratio. . . . Est tertio anima speciale Dei templum. Anima est sancta castrum Dei. De triplici enim castro legimus, duo sunt Dei et tertium est Diaboli. . . . Tertium castrum videlicet quod aedificatur diabolo in animalibus impiorum, dicitur validum in mundo isto quia habet multos castellanos et plurimos ei intendentes. In isto castro est turris vanitatis et superbiae, et ad istam turrem sunt multi attendentes.

Caro

Caro est domus ruinosae, gravis farcina servus maliciosus, equus indomitus, amicus dolosus, falsus consiliarius, hostis domesticus. . . .

Adam secutus est consilium mulieris et periit, et qui sequuntur consilium carnis, moriuntur. . . .

Si corporis infirmaretur, mittunt pro medico festinanter, sed qui infirmiores sunt in anima, minus de medicis curant animarum. Iterum dum tres tunicas dantur corpori, vix datur una animae, id est pauperi. . . .

Contra omnia memorata carnis bella. Anima se defendere potest triplici cautela, videlicet superfluum subtractione, necessariorum moderatione, et carnis maceratione.

XI.—DOCUMENTS RELATING TO THE FOUNDATION OF THE DARTFORD CONVENT

(From Thorpe, *Registrum Roffense*, pp. 312-23)

(i) Letter from Edward III to Hamo, Bishop of Rochester.

Edward, par la grace de Dieu roi Dengleterre et de Franncce et Sygnour Dirlande, a lonourable piere en Dieu Hamo par la grace evesque de Roncestre, Saluz. Porceqe nous sumes certainement enformez coment nostre tres cher seignour et piere qui Dieu assoille feust en volente tantone il vesquist davoit foundee une meson des soeres del ordre de Prechours, et nous pour accomplir la volonte, nostre dit pere en celle partie avons pris purpos de founder une tiele meson des soeres du dit ordre a Dertford, deniz vostre diocise, vous prions chèrement qe vous voellez granter pour vous et vos successors, tantome en vous et qe vous y puissons founder la dite meson en la manere susdite, et faire illoc une eglise, et autres mesons qe appartiennent et sur ce nous voillez faire lettres souz vostre seal tieux, come ferront busoignables en celle partie. Don souz Doctobre lan de nostre regne Dangleterre disunesieme, et de Fraunce sisime.

(ii) Letter from Bishop Hamo to the prior and chapter of the Cathedral of Rochester.

Frater Hamo, permissione divina Roffen. episcopus, dilectis filiis priori et capitulo nostre cathedralis ecclesie Roffens—Salutem, graciam et benedictionem. Litteras regias sub eius privato sigillo simul, et literas venerabilis patris domini archiepiscopi Cant. sigillo suo magno consignatas nuper recipimus, quarum feries in cedula presentibus annam conscriptas vobis transmittimus intuendas, et

per vestre circumspeccionis periciam medullitus intellectis tractetis, sollicite et studiose deliberetis, an petitioni regie de qua indictis literis regis sit expressio possimus absque nostro et ecclesie nostre prejudicio simpliciter vel modificative, et sub quali modificacionis articulo consentire, an magis expediat juxta vestre deliberacionis arbitrium pariter et consilium, nos erga dominum nostrum regem ex causis pretendendis si liqueat, in eventum reverenter ut convenit excusare. Et ut vobis deliberandi materia, que nobis nunc occurrit, ministretur considerandum credimus, quod ecclesia de Dertford nobis est appropriata, et vicaria eiusdem onerata in magna pensione annua vobis persolvenda, unde si porrecta nobis peticio serciatur, effectum consequenter in ferri poterit probabili argumento, quod vicaria predicta erit non modicum dampnificata per modos varios, solerter advertentibus et expertis non ignotos. Quid autem deliberaveritis consulendum ac consenciendum et faciendum duxeritis in premissis, vos specialiter requirimus et rogamus, vobisque nihilominus firmiter injungimus et mandamus, quatenus eadem tanquam secreta capituli conservantes nobis vestre deliberacionis oraculum consilium pariter et assensum citra festum beati Edmundi regis et martyris proxime futuro luculenter et fideliter intimare curetis, per vestras literas sigillatas, narum seriem continentes. Dat. apud Trotteclive. 3 nonarum Nov. a.d. 1345.

(iii) Letter from Bishop Hamo to the Vicar of Dartford.

Frater Hamo, permissione divina Roffien. episcopus, dilecto filio vicario ecclesia nostre de Derteford, nostre dioc. salutem, gratiam et benedictionem. Literarium copias nuper nobis transmissarum presentibus interclusas vobis mittimus intuendas, ut diligenter indagari, ac cum deliberato consilio considerare valeatis, an fundacio monasterii sive collegii, de quo in dictis literis sit menico, si sorciatur effectum, sit vobis et vicarie vestre prejudicialis aut dampnosa, seu verisimiliter esse poterit in futurum, et in quibus casibus sive rebus, et an ad fundacionem huiusmodi, vestrum adhibere volueritis consensum expressum simpliciter, vel sub modo, quicquam pro commoditatibus vicarie vestre, forsitan absorbendis, vobis et vestris successoribus reservando in eventum. Et cum super hiis et

eorum circumstanciis plene fueritis informati, saltem citra festum beati Edmundi regis et martyris proxime futuro, ad nos pro informatione nobis ministranda personaliter accedatis. Bene semper in domino valeatis. Dat. apud Trottesclyne 3 nonarum Novembris a.d. 1345.

XII.—PRIVILEGES GRANTED TO DARTFORD

(*Calendar of Charter Rolls*, V. 225-7, 46 Edward III,
1372, m. 4. Aug. 12. Westminster)

Whereas the King recently, for the safety of his own soul and the souls of Edward his father and Eleanor his mother, of his said father and of all his ancestors and successors and all the faithful departed, founded a monastery of sisters living under the Augustinian Rule and under the care of the Friars Preachers living at Derteford in the diocese of Rochester, to the honour of S. Mary and S. Margaret ; and endowed the same and designs to endow them yet further.

Grant to the prioress and Convent of Derteford aforesaid, of special grace and for their better maintenance and tranquillity ; of the following liberties—

they shall have the chattels of their men and tenants, being felons or fugitive, of all their lands and fees already bestowed upon them ; so that if any such for any offence ought to lose life or limb, or flee or refuse to stand to judgment, or do anything else for which he ought to lose his chattels, wheresoever justice ought to be done of him, whether in the court of the King or in any other court, his chattels shall belong to the said prioress and convent, who may put themselves in seisin thereof without impediment from the King or his ministers ;

they shall have all fines for trespasses and other offences, fines for licence to agree and all amercements, redemptions, forfeited issues and forfeitures, year, day and waste, with all that should belong to the King thereof, and murders of all their men and tenants of all their lands and fees as aforesaid in whatever court of the King they be made, whether before the King or in his Chancery, or before the treasurer and barons, or the justices of the Bench or the steward and marshalls, or the clerk of

the market of the King's household or before any other courts, as also before the justices itinerant to take Common Pleas or pleas of the Forest or any other justices or ministers of the King, whether in his presence or in his absence ; all which fines and so forth they may by themselves or their bailiffs levy, take and keep without hindrance as aforesaid ;¹

they and all their men shall be quit of toll, pavage, pontage, quayage, murage, passage, paiaage, lastage, stallage, tallage, carriage, pesage, picage, terrage, scot and geld, hidage, scutage and works of castles, parks and bridges, enclosures and building of royal houses, as also of suits of counties, hundreds, and wapentakes, of all manner of aids of Kings, sheriffs and their bailiffs, of view of frankpledge, of murder, of common amercement whenever the county falls in the King's mercy before the King or his justices of the Bench or in Eyre, and of all other custom throughout the King's realm and power ;²

they shall be free of all manner of aids, contributions and tallages, which might be exacted from them by the King or his bailiffs or ministers for his use in respect of any of the lands, tenements, rents, goods and chattels which they now have or in the future may have, and when the clergy of England or of the province of Canterbury or of the province of York by way of a tenth or other quota of their spiritualities make a grant to the King, or when the communities of the counties contribute a 10th or a 15th or other quota of their temporal goods, moveables, lands, tenements or rents, or when the King tallages his demesnes or the Pope imposes a tenth or other quota upon the clergy of the realm or of the provinces aforesaid and grants the same or a part thereof to the King, the lands goods and so forth of the said prioress and convent and of their men shall not be so taxed nor they be in any wise distrained or molested therefor,

¹ For an explanation of the legal technicalities involved in this paragraph see Holdsworth, *History of English Law* ; or Pollock and Maitland, *Legal History*.

² For an explanation of the terms used in this and the following paragraphs see Cunningham, *Growth of English Industry and Commerce* ; *Early and Middle Ages*.

and if the men of the counties or of any county or other district of the realm or their lands, possessions or goods be assessed at any sum for the furnishing and arraying of men-at-arms, hobblers, archers or other footmen for the King's service in any part or for coast defence, or if any other burden be laid upon them on such occasions, the lands, possessions and goods of the prioress and convent shall in no case be charged therewith ;

they shall have all animals called wayf and strayf found in their lands and fees unless any follow and prove ownership and unless within a proper time, according to the custom of the country, they be claimed and followed ;

they shall have their monastery and all the houses which they now or in future may hold throughout the realm quit of livery of stewards, marshals and ministers of the King, and of marshals, purveyors or other ministers of the magistrates, so that no such office shall make them any livery to the use of any person against the wish of them the said prioress and convent ; and no earl, baron or magnate of the realm or of any other place nor any stewards, marshalls, escheators, sheriffs, coroners or other officers of the King, or their ministers, nor against the will of the prioress and convent upon any pretext ; and to the end that their goods and chattels be not taken and wasted by takers and purveyors of victuals or other matters for the household of the King or of any others, the King has taken the monastery, the said prioress and convent and all the lands and so forth which may now or hereafter be given, granted or assigned to them and all their goods and chattels into his special protection, willing that nothing of their corn, hay, horses, carts, carriages, victuals or other goods, chattels and things shall be taken or carried off by any officers or ministers whatsoever for the use of himself or of any other ;

they shall not be called upon or compelled to find pension, corrody or maintenance for any one out of their house or other possessions against their will at the request or order of the King ;

they shall have free warren in all the demesne lands which have now been or may in future be granted to them.

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XIII. BULL PLACING THE CONVENT OF DARTFORD UNDER THE JURISDICTION OF THE FRIARS PREACHERS

(Ripoll, *Bull. Ord. Praed.*, vol. ii, pp. 548-9)

Ut Moniales Monasterii de Dartford Ordinis Praedicatorum eiusdem Ordinis Generali Magistro, ceterisque Praepositis morem gerant.

1418. die 16 Julii.

Ex archivio Ordinis.

(In quo exemplar ex Archivo Apostolico Libro XVI. fol. 257.)

Apostolice servitutis, Nobis in juncte desuper officium mentem nostram excitat, et inducit, ut circa ea que pro statu prospero monasteriorum piorum locorum ac personarum in illis sub Religionis observantia vacantium assidue studio pie vite ac etiam ad Divini cultus et eiusdem religionis perseverantiam opportuna fore conspiciamus, et per que eorum necessitatibus consulitur operosis studiis intendamus. Dudum siquidem fel. rec. Johanni P.P. XXII Predecessori nostro pro parte inclyte memorie Eduardi Regis Anglie exposito, quod clare memorie Alienora Regina Anglie mater sua ad Ordinem Monialium, seu sororum sub Regula B. Augustini ac cura et secundum Instituta Fratrum Ordinis Predicatorum viventium, dum adhuc in humanis existeret specialem gerens devotionis affectum, ad laudem et gloriam summi Regis et pro anime sue salute, unum Monasterium fundare ordinavit, et etiam edificare disposuit in quo collocarentur et ponerentur sorores, que sub eisdem regula et cura ac secundum Instituta huiusmodi viverent, et in eo Deo famulatum devotum et perpetuum exhiberent, sed quia eadem Regina morte preventa huiusmodi suum propositum ad implere nequiverat, predictus Rex de sua et ipsius Regine animarum salute sollicitus adimplere desiderarat propositum antedictum, prefatus Predecessor inter alia per suas litteras dilectis filiis Magistro, necnon Provinciali in Anglia et loci de Langeley Ordinis Fratrum eorundem Kucolirensis (Lincoln) Diecesis Prioribus, ut postquam Monasterium constructum, necnon Moniales et sorores huiusmodi in eo institute forent, predictas et alias, que essent pro tempore dicti Monasterii Moniales, et sorores auctoritate Apostolica duxit committendum; statuens nihilominus ut ex tunc

sub doctrina Magistri et Priorum predictorum permanere, ac illis, suisque Vicariis, sicuti Fratres dicti Ordinis in omnibus obedire tenerentur, prout in ipsis literis plenius continetur. Cum autem, sicut exhibita Nobis nuper petitio pro parte dictorum Priorum continebat, postmodum clare recordationis Eduardus ipsius Regis natus, etiam Rex Anglie, ad huiusmodi propositi executionem tendens efficacem, Monasterium ipsum in solo suo loco videlicet de Dertford Roffensis Diecesis cum Domibus, claustris et clausuris pro quodam Prioratu, necnon in habitatione, unius Priorisse, ac triginta novem Monialium, et earundem Sororum tunc in ibi includendarum et sub Regula necnon Prioris dicti loci de Langeley qui esset pro tempore, obedientia huiusmodi Altissimo serviturarum, fundari et construui faciendo illud cum predictis Domibus, claustris et clausuris ac omnibus aliis suis pertinentiis, necnon centum libras per ipsas Priorissam et Moniales annis singulis ad sacarium suum et heredum eiusdem, in Pasche, et S. Michaelis festivitatis per equales portiones percipiendas, et habendas, quosque ipsis per eum, vel dictos heredes de centum libris terre vel redditus annuatim per eas in perpetuum habendis fuisset in locis competentibus provisum, illis concesserit pariter et assignaverit; volens et ordinans expresse quod tam Priorissa et Sorores quam Prior loci de Langeley huiusmodi necnon quinquaginta novem apud dictum locum de Langeley, morantium Fratrum eorundem victu vestitu et omnibus aliis necessariis deliberatis quandiu illas sic perciperent, as terris et redditibus prefatis, ac omnibus aliis rebus que ipsis dari, necnon fructibus ecclesiarum quas eius in posterum appropriari contingeret, competenter et honeste secundum ordinationem et dispositionem sustentarentur Priores loci de Langeley memorati; pro parte dictorum Priorum Nobis fuit humiliter supplicatum ut statuto, foundationi, constructioni, concessioni et assignationi, voluntati et ordinationi predictis pro eorum subsistentia firmiori, robur Apostolice confirmationis adicere de benignitate Apostolica dignaremur. Nos igitur, qui eidem supplicationibus inclinati, necnon statutum, foundationem, constructionem, concessionem assignationem voluntatem ac ordinationem huiusmodi et quecumque inde secuta rata habentes et

grata illa auctoritate Apostolica confirmamus, et presentis scripti patrocínio communimus suppletes omnes defectus si qui forsén intervenerunt, in concessione, assignatione, voluntate et ordinatione ante dictis, et nihilominus modernas et pro tempore existentes Priorissas ac Sorores et Moniales dicti Monasterii juxta statuti, necnon voluntatis et ordinationis predictarum continentiam atque formam eisdem Prioribus obedire et subesse debere, ad idquoque per censuras ecclesiasticas et alia opportuna juris remedia compellendas fore ac compelli posse, decernimus per presentes. Non obstantibus Constitutionibus Apostolicis, necnon statutis et consuetudionibus Monasterii et Ordinis predictorum juramento, confirmatione Apostolica vel quacunque firmitate alia roboratis, ceterisque contrariis, quibuscunque. Nulli ergo omnino hominum liceat hanc paginam nostre confirmationis, communitiois, suppletionis et constitutionis infringere. Datum Gibennis XVII Kal. Aug. Pontificatus nostri Anno Primo.

INDEX

- Alardus, Provincial Prior, 56
 Albertus Magnus, 98
 Alchemy, study of forbidden, 93
 Aldwinkle, Henry of, 49
 Alexander IV, Pope,
 suggests reform in sisters' con-
 stitutions, 4
 repeals Bull *Etsi Animarum*, 62
Annals of Nicholas Trivet, 101
 Arbitrators, Dominicans as, 66
 Art schools, 92
 Aslakeby, Andrew, 115
 Attorneys of Dominican sisters, 121
 Augustine, S., 1
- Bacon, Robert, 56
 Badewerlis, John de, 26
 Baktorp, William
 Provincial Prior, 18
 Vicar-General, 29
 Visitor, 16, 27
 Bamborough, 22
 Bangor, 22
 Barn, Anna, Prioress of Dartford,
 131
 Beatrice, Prioress of Dartford, 131
 Beauchamp, William, Founder of
 Worcester Convent, 76
 Belers, William, made papal chap-
 lain, 51
 Belломонт, Margaret de, Prioress of
 Dartford, 125
 Benedict XI, Pope, 63
 Benedict, S., Order of, 65
 Beneyt, Michael, 52
 Berwick, 22
 Betilesam, William, present at
 Council of 1382, 71
 Beverley, 22, 57
 Bishops, Dominicans as, 54
 Bochincanor, Friar, exiled, 24
 Boletes, Ralph, founder of Warwick
 Convent, 76
 Bologna, first general chapter at, 3
 Boniface VIII, Pope, 63
 Boniface IX, Pope, 25, 27, 39, 60
- Boston, 22, 43
 Bourne, John, 39
 Brecknock, 22
 Bristol, 22
 Bromyard, John, 17, 39, 100
 Brusener, William, diffinitor, 19
 Buildings, magnificence of, 32
 Bulls, Papal, 61 ff.
 Tampering with, 51
 Burials, in Dominican churches,
 36 ff., 61
 Burton, Richard, made papal chap-
 lain, 51
- Cambridge, 11, 22
 Dispute at, 95
 Canons, Regular, 2, 4
 Canterbury, 22
Canterbury Tales, 59
 Cardiff, 22
 Carlisle, 22
 Carmelite Friars, 66, 70
 Cells for meditation, 39
 Chapters, general, 2, 3, 4, 5, 39
 Provincial, 10 ff.
 Procedure at, 12
 Annual, 4
 Daily, 8
 Charter, 123
 Chaucer, Geoffrey, 39, 45, 59
 Chelmsford, 22
 Chester, 22
 Chichester, 22
 Circator, 7
 Cistercians, 4, 63, 65
 Clapwell, Richard, 100
 Clement VI, Pope, 54, 65
 Clergy, secular, relations of friars
 with, 54 ff.
 Cluny, 65, 66
 Commentaries, 98
 Concordances, 98
 Confessions, 34 ff., 58, 59
 Confessors, Kings', Dominicans as,
 85 ff.

- Conventual Prior, 5
 authority of, 6
 election of, 5
 electors of, 6
 supervision of, 7
 Corrections, 98
 Cotum, John de, 51
 Council of the Earthquake, 97
 Courtenay, William, Archbishop
 of Canterbury, 71, 97
 Crusades, preaching of by Do-
 minicans, 52

 Daily life of friars, 31 ff.
 Dale, Nicholas de, 95
 Darlington, John of, first Domini-
 can to be King's confessor, 78,
 86, 98
 Dartford
 sisterhood at, 114 ff.
 benefactors to, 132-3
 grants to, 118 ff.
 relations with Papacy, 124
 relations with the order, 126
 surrender of, 124
 under care of King's Langley,
 118
 work upon, 120
 Derby, 10, 42
 Deverell, Hugh, 50, 75
 Diffinitors, 12, 18
 Diplomacy, 53
 Dissolution of the convents, 81,
 84 ff.
 Doctor, 6, 91
 Dominic, S., xv
 Doncaster, 22
 Dress, 33 ff., 109
 Dunstable, 22
 Dunwich, 22
 Dwellings, 31

 Education, 90 ff.
 of women, 112
 at Dartford, 131
 Edward I, 77, 86, 98
 Edward II, 11, 78, 115
 Edward III, 116
 Elias of Toulouse, Master-General,
 23
 Eure, Benedict de, 65
Evangelicæ Prædicationis, Bull,
 105
 Exeter, 52

 Fast, 108

 Fitzhever, Joan, Sister of Dartford,
 131
 Franciscans, ix, 67, 68
 Fraternity, letters of, 73

 Gaunt, John of, 71
 Gaunt, Maurice de, founder of
 Bristol Convent, 75
 Gilbert, John, 71
 Goldsmith, Stephen, founder of
 Beverley Convent, 76
 Grammar, 93
 Grammar-schools, 91
 Gregory IX, Pope, 64
 Grossetête, 56
 Guildford, proposed site of sister-
 hood, 114
 Gurney, Matthew de, 75

 Halsey, John, Provincial Prior, 81
 Hamo, Bishop of Rochester, 116
 Haverfordwest, 22
 Helmesley, William, 18
 Henry III, 42, 76, 85
 Henry IV, 89
 Henry VI, 80
 Henry VIII, 80
 Hereford, 13, 22
 Hereford, Nicholas, a Lollard, 72, 96
 Herle, Nicholas, 79
 Hodgkin, John, Provincial Prior, 83
 Holborn, 22, 75
 Holcot, Robert of, 99
 Holmulse, Richard, 26
 Hothum, William de, 59, 79, 87
 Humbert de Romans, Master-
 General, 90, 105
 Hundred Years' War, 89

 Ilchester, 22
 Illness, 108
 Indulgences, 52
 Infirmary at Dartford, 133
 Innocent IV, 52, 105
 Innocent VI, 56, 65
 Ipswich, 22

 Joan, Prioress of Dartford, 121, 125
 John XXII, Pope, 53, 60, 114

 Kilwardby, Robert, 53, 69
 Archbishop, 57
 King's Langley, 22, 115

 Langenyle, John, to choose own
 confessor, 36, 40

Launde, Walter, to attend Duke of
Aumarle as Physician, 45

Lector, 92

privileges to, 93

Leek, John, 49

Leicester, 22

Limitours, 39

Lincoln, 11, 22, 25

London, 21, 22

Lugood, John, 60

Lynn, 22

Marjorie Chastloyn, Sister of Dart-
ford, 130

Martin IV, Pope, 62

Master-General, 5, 10, 65, 106, 111

Master of the Novices, 7

Matthew, Provincial Prior, 56

Maud, Prioress of Dartford, 123

Melcombe Regis, last convent
founded, 50

Music, 93

Newcastle-on-Tyne, 19

Nicholas of S. Cyriac, Cardinal,
24

Northampton, 10, 42

Novices, 7, 40, 108

Offences, 8

Omanche, Bicuis, 65

Organization, 5 ff.

Oxford, 11, 21

Mad Parliament in Dominican
house at, 78

Palmer, Thomas, Visitor, 16, 27

Papacy, the, 7, 47, 48 ff.

Parys, John, 66

Peckham, Franciscan Archbishop,
69

Petitions, 19

Philosophy, 91, 99

Pingh, John de, 8

Political theory, xiv

Pontefract, 11, 22, 76

Preaching, 37, 39

Premonstratensians, 2, 4, 8

Privileges, 34

Prouille, 1, 102

Provincial Prior, 5, 6, 22, 23, 116

election of, 13

powers of, 13 ff.

Punishments, 109

Quasi Lignum Vitæ, Bull, 95

Raymond of Pennaforte, Master-
General, 3, 104

Raymund of Capua, Master-Gen-
eral, 25

Reformation, the, 80

Rich, Edmund, Archbishop of
Canterbury, 56

Richard II, 123

Rogers, John, 50, 75

Rule of the sisters, 108

Rutland, 22

Rycheford, William, Provincial
Prior, 13, 15

Scarborough, 22

Science, 91

Second order, 102 ff.

Sentences of Peter Lombard, 100

Sermons of Humbert de Romans,
111

Seward, Ulric, Provincial Prior, 27

Silence, rule of, 109

Sisterhood, under care of brothers,
104

disputes, 104 ff.

Sixtus, S., convent of, 2, 103

rule of, 2, 3

Sources, scarcity of, xii, 10, 21

Stamford, 11, 22, 44, 119

Stavensly, Richard de, 98

Studia artium, 91

naturalium, 91

sollenia, 91

Studium generale, 91

at Oxford and Cambridge, 92

Sub-Prior, 7

Sudbury, 22

Summa Predicantium, 39, 100, 147

Summerton, Walter, papal chap-
lain, 51

Swynderby, William, a Lollard, 72

Theology, 92, 93

Thetford, 22

Toulouse, 16

Trivet, Nicholas de, 99, 101

Universities, 70, 95

Urban V, Pope, 52

Urban VI, Pope, 24

Ut Moniales, Bull, 130, 154

- | | |
|-----------------------------------|-------------------------------|
| Vicar, 17 | Women, 102, 103 |
| Vichor, Thomas, Provincial Prior, | Worcester, 22 |
| 23 | Wycliffe, 67 |
| deposed, 24 | relations with friars, 70 ff. |
| Visitor, 16 | denunciation of friars, 72 |
| Vow of Profession, 108 | Wycliffites, or Lollards, 96 |
| | |
| Warwick, 11, 22 | York, 11, 22 |
| Wilton, 22 | Yngworth, Richard, 82 |
| Winchester, 22 | made "lord visitor," 84 |
| Winkley, Provincial Prior, 88 | Yswercke, Thomas, Lector, 93 |

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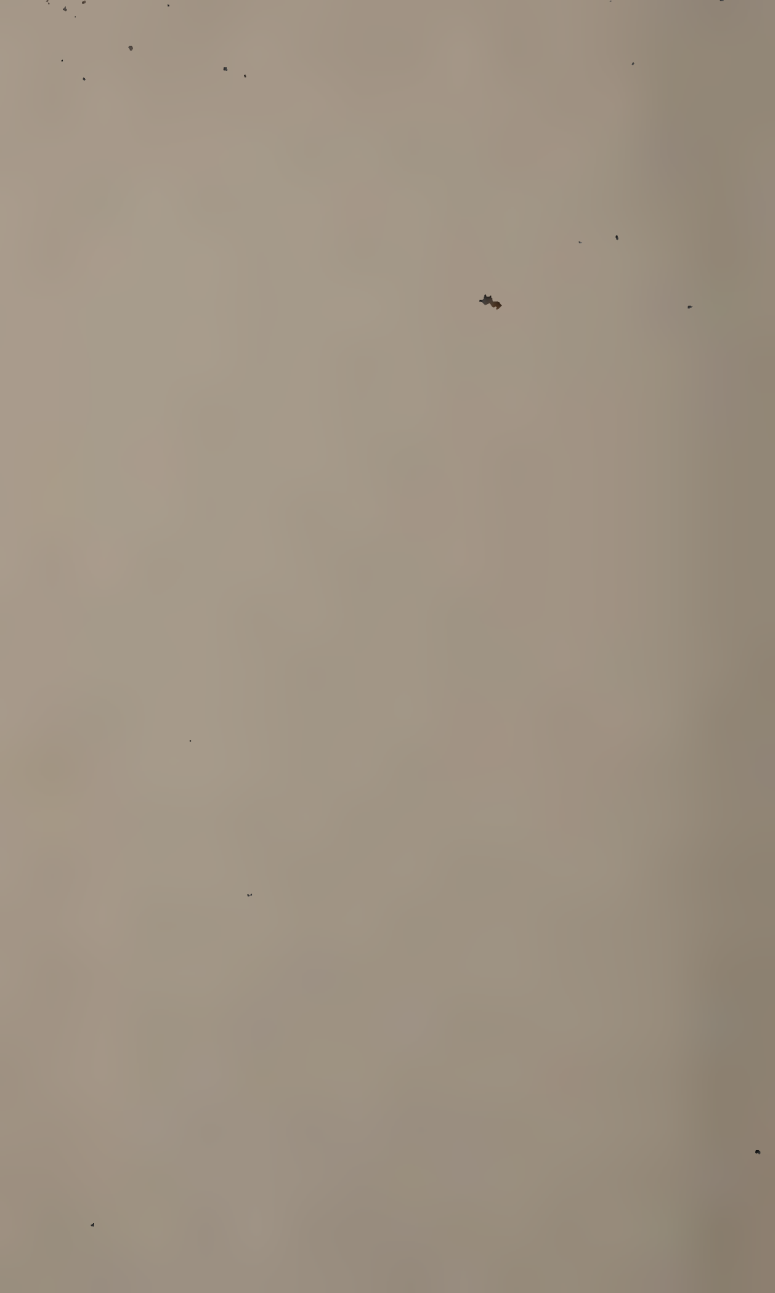
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